



Crl.O.P.No.17453 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 506(ii) of IPC and Section 4 of TNPWH Act, 2002 in Crime No.313 of 2024, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated, due to family dispute between the petitioner and the defacto complainant, whereas he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner and the defacto complainant are husband and wife, since there was a dispute between them, the petitioner filed HMOP.No.298 of 2023 against the defacto complainant, to which, there was a wordy quarrel,



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the petitioner and his father abused the defacto complainant and also assaulted her, she sustained injuries, later discharged from the hospital. He further submitted that the investigation in this case is almost completed. However, he vehemently opposed for the grant of anticipatory bail to the petitioner.

4. Taking into consideration the facts and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Additional Mahila Magistrate, at Tiruvallur*, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, (out of which, one surety must be a blood related surety) for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner is directed to pay the interim



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maintenance of Rs.10,000/- per month to the minor child to the account of the defacto complainant of every first week of English Calendar month, commencing from August month, without fail otherwise the anticipatory bail granted shall automatically cancelled.

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions has been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;



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[g] if the accused thereafter absconds, a fresh FIR
can be registered under Section 229-A IPC;

25.07.2024

drl

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