



Crl.O.P.No.17493 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(B), 323, 448, 427, 380 and 506(ii) of IPC in Crime No.471 of 2022, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case as it is alleged that the petitioner's daughter eloped with the defacto complainant's brother. He further submitted that the petitioner was granted anticipatory bail on 01.11.2022, but in the bail application the satisfaction court was typed as Judicial Magistrate, Cuddalore instead of District Munsif cum Judicial Magistrate, Kurinjipadi, for which he could not execute the sureties within time. However, the petitioners were ready to abide by any stringent conditions that may be imposed by this Court. Hence, prays for grant of bail to the petitioners.



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3. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that on account of enmity on the petitioner's daughter eloping with the defacto complainant's brother, the accused have gone to the house of the defacto complainant, abused and attacked him and they have also damaged the house and also theft the four sovereigns of gold, totally worth Rs.1,40,000/-. In the above incident, no one had sustained any external injuries. However, he vehemently opposed to grant bail to the petitioner.

4. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in



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the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned District Munsif cum Judicial Magistrate, Kurinjipadi***, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties 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) Each of the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.471 of 2022, before the concerned Court, within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the defacto complainant is permitted to withdraw the amount by filing necessary affidavit and proper identification and acknowledgment."

the petitioners 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;

(b) the first and third petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of eight weeks and the second petitioner shall



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report before the respondent police as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;

[e] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions has been imposed and the petitioners are 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;

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

26.07.2024

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