



Crl.O.P.No.20802 of 2024

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WEB C **P.DHANABAL,J.**

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 452, 354(A), 509, 294(b), 324 and 506(ii) of IPC and 4 of Women Harassment Act, in Crime No.15 of 2024, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the 1<sup>st</sup> petitioner is the husband of the 2<sup>nd</sup> petitioner. The 2<sup>nd</sup> petitioner is the sister-in-law of the defacto complainant. The 2<sup>nd</sup> petitioner, abused and assaulted the defacto complainant and also burnt her right hand with spatula (Karandi). They further harassed the defacto complainant by locking her inside the house. On 03.06.2024, the 1<sup>st</sup> petitioner/husband of the 2<sup>nd</sup> petitioner, attempted to rape the defacto complainant. Further, the petitioners spread rumours about the defacto complainant and also threatened the defacto complainant with dire consequences by showing knife and billhook (Veechu Aruval). Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case due to family dispute. Further, there is delay in lodging the complaint. Hence, he prayed to



grant anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that it is a case of matrimonial dispute. The accused have beaten the defacto complainant with kitchen utensils and now the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the submissions of both sides, this is a case of family dispute between the parties and the fact that the injured has been discharged from the hospital and that there is no previous case against the petitioners, and there is a delay in lodging complaint, 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 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 Judicial Magistrate, Rasipuram**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each 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 petitioners shall report before the respondent police on**



Crl.O.P.No.20802 of 2024

**every Saturday at 10.30 a.m. for a period of four weeks and thereafter,  
as and when required for interrogation.**

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

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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 have been imposed and the petitioners released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in P.K. Shaji v. State of Kerala [(2005) AIR SCW 5560].

[e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the B.N.S

**28.08.2024**

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Crl.O.P.No.20802 of 2024

**P.DHANABAL,J.**

ksa-2

Crl.O.P.No.20802 of 2024

28.08.2024