



Crl.O.P.No.20951 of 2024

P.DHANABAL,J.

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The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 506(2) of IPC, in Crime No.229 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant got married to the petitioner/accused and they were living together for more than three decades. The accused used to torture the defacto complainant and on 09.02.2024, the accused attacked the defacto complainant and abused her by using filthy language. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner abused the defacto complainant in filthy language and also attacked her due to which, the defacto complainant sustained simple injury and now the defacto complainant has been discharged from the hospital and there is no previous case against the petitioner.



5. Considering the submissions of both sides, pendency of a matrimonial dispute between the parties, nature of offence, discharge of injured from the hospital and that except the offence under section 506(2) IPC all other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 Judicial Magistrate, Neiveli**, on condition that the petitioner shall execute a 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 petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of four weeks.

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

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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

29.08.2024

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To

1. The Judicial Magistrate, Neiveli.
2. The Inspector of Police,
Neyveli Township Police Station,
Cuddalore District.
3. The Public Prosecutor, High Court, Madras.



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