



Crl. O.P. No.27487 of 2024

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P. DHANABAL.J.,

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The petitioner / Accused No.2, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(2) of B.N.S. in connection with the Cr. No.360 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 06.10.2024 at about 7.30 pm., the petitioner along with her husband/A1 came to the defacto complainant's house, abused her with un-parliamentary words, when the same was questioned by the husband of the defacto complainant, the accused made their dog to bite the sons of the defacto complainant and also threatened with dire consequences and hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case as against the petitioner for the offences under Sections 296(b), 115(2), 118(1), 351(2) of B.N.S. As per the prosecution, the petitioner along with her husband abused the defacto complainant with filthy language, made their dog to bite the defacto complainant's sons and also threatened with dire consequences. In



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fact, no such occurrence had happened. There is a civil dispute between the petitioner's mother and one Amudha and hence this petitioner has been falsely implicated in this case. She is an innocent. She is ready and willing to abide by any condition imposed by this Court and hence she may be released on anticipatory bail .

4. The learned Government Advocate (Criminal Side) would submit that based on the complaint given by the defacto complainant, FIR was registered for the offences under Sections 296(b), 115(2), 118(1), 351(2) of B.N.S. against this petitioner and her husband. Investigation is still pending and hence he opposed to grant anticipatory bail to the petitioner. However, he admitted that the injured was discharged from the hospital and no previous case pending against this petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the nature of offences, considering the fact that the injured person was discharged from the hospital and there is no previous case pending against this petitioner, I am inclined to grant anticipatory bail to the petitioner



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subject to the following conditions.

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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate, Tiruvarur** on condition that the petitioners shall each 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.00 a.m. for a period of 4 weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous



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permission of the Court;

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[d] the petitioner 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 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 vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

30.10.2024

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To

- 1.The Judicial Magistrate, Tiruvarur
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Kodavasal Police Station, Thiruvarur.

P.DHANABAL,J
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