



Crl.O.P.No.26352 of 2023

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C.V.KARTHIKEYAN,J.

The petitioners are parents, sister and brother-in-law of the defacto complainant and seek anticipatory bail in Crime No.302 of 2022, registered by the respondent police for the offence under Sections 294(b) & 307 of IPC.

2.It is the grievance of the defacto complainant that though he was working as a Manager in an IT Company, he had been chased out of the house by the petitioners herein and he is not able to even visit the house.

3.The learned counsel who appears for the defacto complainant/intervenor had stated that if the matter is referred to mediation then, there is a good possibility of the issue is being sorted out.

4.It is the contention of the learned counsel for the petitioners that the property in question, was obtained through a partition in the year 1980, when the defacto complainant was not even born and construction



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had been put up in the year 1997, when the defacto complainant was 16 years old.

5.Let me not enter into all those issues but grant anticipatory bail to the petitioners herein subject to the following 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 days from the date on which the order copy made ready, before the **Judicial Magistrate No.I, Alandur**, on condition that the petitioners shall execute separate 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



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[b] the petitioners 1, 2 and 3 shall appear before the respondent police once in a week i.e., on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation and the 4th petitioner shall appear before the respondent police everyday at 10.30 a.m., until further orders.

[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 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 vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

7. During the course of investigation, the respondent may also issue notice even though anticipatory bail has been granted to the 1 and 2 petitioners alone and to the defacto complainant and encourage them to come to some sort of settlement with respect to the issues. It may be impressed upon them that the 3rd petitioner who has married the 4th



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petitioner are strictly, as on date stranger to the family and the nucleus of the family is only the 1st and 2nd petitioners and the defacto complainant.

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