



Crl.O.P.No.28154 of 2024

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SUNDER MOHAN, J.

The Petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS, 2023, in Crime No.171 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the mother-in-law of the petitioner. Due to a wordy quarrel in respect of a property dispute, the defacto complainant was abused in filthy language and attacked by the petitioner with wooden log. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner, who is the daughter-in-law of the defacto complainant, has been falsely implicated and that it is the defacto complainant who had abused her in filthy and unparliamentary language and that since it is the family dispute, custodial interrogation is not required for investigation, and prayed for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl. Side) for the respondent submitted that the defacto complainant has been already discharged from the hospital and FIR was registered on the complaint stating that the petitioner had attacked her with wooden log. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the fact that the petitioner and the defacto complainant are closely related to each other and that the defacto complainant has been discharged from the hospital and that custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner.

[a] 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, Vandavasi**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties for a like sum



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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:

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[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 absconds, a fresh FIR can be registered under Section 269 BNS.

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