



Crl.O.P.No.28326 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS, 2023 r/w Section 4 of TNPHW Act in Crime No.730 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1st and 2nd petitioners are brothers and 3rd and 4th petitioners are sisters-in-law of the defacto complainant and they all live as a joint family. Due to a wordy quarrel aroused between the defacto complainant and the petitioners, the defacto complainant was physically assaulted by the petitioners using an iron rod, thereby the defacto complainant sustained injuries. Hence, this case.

3. Learned counsel appearing for petitioners submitted that petitioners are innocent and have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the defacto complainant is an unemployed person and



drunkard, who in drunken mood, abused the petitioners using filthy language and humiliated the petitioners in front of neighbours, hence the petitioners had lodged a complaint against the defacto complainant, thereby he was arrested and remanded to judicial custody. Therefore, the defacto complainant had lodged this false case out of vengeance. He further submitted that the petitioners are ready to produce solvent sureties and to abide with any conditions that may be imposed by this Court, therefore, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioners stating that the petitioners are the brothers and sister in laws of the defacto complainant and due to wordy quarrel between them, the petitioners abused and attacked the defacto complainant, due to which the defacto complainant sustained injuries. He further submitted that the injured was discharged from the hospital and there is no previous case as against the petitioners.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl. Side) appearing for the respondent police and



perused the materials available on record including the FIR.

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6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 learned District cum Judicial Magistrate, Sriperumbudur, Kanchipuram District** 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, 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.

[b] the petitioners shall report before the respondent police everyday at 6:30 p.m., for a period of two weeks and thereafter, every Saturday 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 abscond, a fresh FIR



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can be registered under Section 269 B.N.S.

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