

Crl.O.P.No.24488 of 2023**C.V.KARTHIKEYAN, J.**

WEB COPY

The petitioners/A1,A2 & A3, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323 and 506(ii) of I.P.C r/w Section 4 of TNPHW Act, in Crime No.1663 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the mother-in-law of the first petitioner herein. There was a marital dispute between the first petitioner and his wife and all the other family members joined in the dispute which exalted into violence leading to alleged of the complaint and registration of the F.I.R. Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent submits that due to matrimonial dispute, the first petitioner and his wife along with family members which accelerate into violence. Hence, he opposed for grant of anticipatory bail to the petitioners.



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

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners.

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 Judicial Magistrate No.1, Tiruppur** on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties out of which one surety shall be mother of the petitioner herein 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:



WEB COPY



[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 first and second petitioners shall report before the respondent Police, on everyday at 10.30 a.m., for a period of three weeks and the third petitioner shall report before the respondent Police once in a week for a period of three weeks;

[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 can be registered under Section 229A IPC.

31.10.2023

nvi



WEB COPY

Crl.O.P.No.24488 of 2023



C.V.KARTHIKEYAN, J.

nvi

Crl.O.P.No.24488 of 2023

31.10.2023