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CrL.O.P.No.6419 of 2021

V.BHARATHIDASAN, J.

This matter is taken up for hearing under the caption “For Being Mentioned” today at the instance of the learned counsel for the petitioner.

2. The learned counsel for the petitioner submitted that earlier, this Court, by an order dated 01.04.2021 granted anticipatory bail to the petitioner. However, in the said order, in paragraph-1, the offence under Sec.4 of T.N. Prohibition of Harassment of Women Act, 2002 has not been mentioned. Hence, the matter has been listed today.

3. Considering the above submission, the paragraph-1 of the order shall be substituted as follows:

"The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(ii), and 379 of I.P.C. r/w Sec.4 of T.N. Prohibition of Harassment of Women Act, 2002 in Crime No.42 of 2021, seeks anticipatory bail."



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4. Registry is directed to incorporate above correction in the Order of this Court in Cr.O.P.No.6419 of 2021 dated 01.04.2021 and issue fresh order copy to the petitioner.

5. Time is extended for further period of three weeks for surrendering the petitioner before the learned District Munsif cum Judicial Magistrate, Cheyyur, Chenglepet District from the date of receipt of the copy of amended order.

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(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(ii) and 379 of IPC in Crime No.42 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are neighbors and there was wordy quarrel between them in which, the petitioner and the other accused attacked the defacto complainant and caused simple injuries to the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that due to wordy quarrel, the occurrence had taken place. Earlier, the defacto complainant attacked the petitioner and the petitioner sustained injuries. Hence, they also gave counter complaint against the defacto complainant registered in Crime No.40/2021. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that there are totally six accused. The petitioner/A2 attacked the defacto complainant and caused injuries. The injured got discharged from the hospital.



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5. Taking into consideration the nature of offence and also taking note of the fact that the injured discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned District Munsif cum Judicial Magistrate, Cheyyur, on condition that the petitioner shall 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 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 petitioner 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 petitioner shall report before the respondent police as and when required for interrogation.

[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



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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 229-A IPC.

01.04.2021

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