



Crl.O.P.No.16675 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 448, 294(b), 324 and 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 and Section 3(1) of TNPPDL Act 1984 in Crime No.327 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 14.05.2022 at 3.p.m., the petitioners are alleged to have trespassed into the house of the defacto complainant and abused her in filthy language and they had demolished the compound wall, cow shed and cut off the plaintain tree and give a life threat. It is further alleged that the petitioners are alleged to have thrown the stones and damaged the windows and front portion tiles of the house and when the defacto complainant captured it in her mobile phone at that time, the petitioners are alleged to have abused her and her children and



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thrown the stones over her and caused injuries to her. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He would further submit that due to property dispute, the defacto complainant had given a false complaint as against the petitioners. On instructions, the learned counsel for the petitioners would submit that the petitioners are ready and willing to compensate the damages caused by them. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioners damaged the defacto complainant's house which is worth about Rs.2,00,000/- . Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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5. Considering the above fact and circumstances of the case and also considering the facts and circumstances of the case, the petitioners are directed to pay a sum of Rs.2,00,000/- to the defacto complainant by way of demand draft, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 learned Judicial Magistrate, Thirukazhukundram on condition that the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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:



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[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 are directed to pay a sum of Rs.2,00,000/- to the defacto complainant by way of demand draft and on such payment the petitioners shall execute sureties.

[c] the petitioners shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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



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himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

19.07.2022

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