



Crl.OP.No.17979 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b), 323 and 506(i) of the Indian Penal Code Read with Section 4 of the Women Harassment Act in Crime No.158 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are neighbours. There arose a wordy quarrel between the petitioner and the defacto complainant in which, the petitioner abused the defacto complainant in filthy language and assaulted her, due to which she sustained injuries. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that there is a case in counter registered as against the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.OP.No.17979 of 2022

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4. The learned Additional Public Prosecutor appearing for the respondent submitted that the defacto complainant sustained only simple injuries. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the defacto complainant has sustained only simple injuries and a counter case has also been registered as against her, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 made ready, before the learned District Munsiff Cum Judicial Magistrate, Gummudipoondi 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



CrI.OP.No.17979 of 2022

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 daily at 10.30 a.m for a period of two weeks and thereafter 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 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 229A IPC.

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