



Crl.O.P.No.18034 of 2022

WEB COPY

Crl.O.P.No.18034 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 506(ii) of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 in Crime No.248 of 2022, seek anticipatory bail.

2. The case of the prosecution is that there was a civil dispute between the petitioners and the defacto complainant, due to which the petitioners abused the defacto complainant in filthy language, assaulted her, threatened her, harassed her and also 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 and they have been falsely implicated in this case. Therefore, he prays to grant anticipatory bail to the petitioners.



Crl.O.P.No.18034 of 2022

WEB COPY

4. The learned counsel for the Intervenor raised strong objection by stating that the defacto complainant was attacked by the petitioners and sustained injuries.

5. The learned Additional Public Prosecutor would submit that the petitioners attacked the defacto complainant and caused injuries. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners 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



CrI.O.P.No.18034 of 2022

learned District Munsif-Cum-Judicial Magistrate, Cheyyur 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:

[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 1st and 4th petitioners shall report before the respondent police daily twice at 10.30 a.m and 5.30p.m., for a period of two weeks and thereafter as and when required for interrogation and the 2nd and 3rd petitioners shall report before the respondent police as and when required for interrogation.

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



CrI.O.P.No.18034 of 2022

WEB COPY

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

04.08.2022

VV



WEB COPY



CrI.O.P.No.18034 of 2022

G.K.ILANTHIRAIYAN, J.

Vv

CrI.O.P.No.18034 of 2022

04.08.2022