



Crl.OP.No.18059 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) IPC r/w Sec.4 of Tamil Nadu Prevention of Women Harassment Act in Crime No.310 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are alleged to have teased one Naunika, daughter of one Deivasigamani when she went to a temple festival. On hearing the incident, her father and his wife enquired the petitioners, in which the petitioners abused them in filthy language and assaulted them. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and no way connected with the alleged offence. 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 petitioners.



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4. The learned Additional Public Prosecutor submitted that the petitioners attacked the defacto complainant and caused injuries. He further submitted that the injured has been discharged from the hospital on 22.07.2022. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 No.II, Villupuram on condition that the petitioners shall execute a bond 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



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copy of their Aadhar card or Bank pass Book to ensure their identity.

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[b] 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.

[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.

27.06.2022

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