



Crl.O.P.No.19409 of 2022

Crl.O.P.No.19409 of 2022

WEB COPY

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, 324 and 506(ii) IPC r/w Section 4 of TN Prohibition of Harassment of Women Act, in Crime No.249 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 25.07.2022, when the defacto complainant attempted to take her child from school, the petitioners herein alleged to have attacked her. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the child is with the first petitioner right from the birth and the defacto complainant only deserted leaving the child with the first petitioner and false complaint has been foisted against the petitioners. Therefore, he prays to grant anticipatory bail to the petitioners.



Crl.O.P.No.19409 of 2022

4. The learned Government Advocate (Crl. Side) would submit that the petitioners attacked the defacto complainant and caused injuries. He would further submit that the injured has treated as Out Patient. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts and circumstances of the case and also considering the fact that the victim has treated as Out Patient, 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 learned Judicial Magistrate-II, Madurantakam, 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



Crl.O.P.No.19409 of 2022

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 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.**



Crl.O.P.No.19409 of 2022

State of Kerala [(2005)AIR SCW 5560].

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

22.08.2022

ata

G.K.ILANTHIRAIYAN, J.



WEB COPY



CrI.O.P.No.19409 of 2022

ata

CrI.O.P.No.19409 of 2022

22.08.2022