



CrI.O.P.No.21306 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 324 and 506(ii) IPC, 1860, r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No. 361 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to enmity on account of the civil dispute, the petitioner along with other accused abused the defacto complainant and assaulted with wooden log, caused injuries on the head. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and due to existing civil dispute between the petitioner, the defacto complainant lodged a false complaint. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that there was a civil dispute between the petitioner and the defacto complainant. Due to which, the petitioner along other accused assaulted the defacto complainant with wooden log and caused injuries. He would further submit that the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and submissions of the learned Counsel and the fact that the victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

6. Accordingly, the petitioner is directed to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned



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Judicial Magistrate-II, Ulundurpet, on condition that the petitioner shall execute a separate 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 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 on every Friday at 10.30 a.m and 5.30 p.m until further orders.

[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



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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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