



Crl.O.P.No.21496 of 2022

Crl.O.P.No.21496 of 2022

A.D.JAGADISH CHANDIRA.J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 354(A) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 in Crime No.32 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the defacto complainant married one Deva on 10.06.2022 and she was living with her husband in her matrimonial home. According to the defacto complainant, A1/grand father of the defacto complainant's husband had committed sexual harassment on her and when the same was conveyed to the petitioner, who is the mother in law of the petitioner, abused her using filthy language. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and she has nothing to do with the alleged offence. He would further submit that the petitioner is the mother



Crl.O.P.No.21496 of 2022

WEB COPY

in law of the defacto complainant and due to matrimonial dispute, the defacto complainant had given a false complaint against her. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that the husband of the defacto complainant's grandfather had committed sexual harassment on her. He would submit that he has been granted anticipatory bail by this Court in Crl.O.P.No.21004 of 2022 dated 02.09.2022. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances and also taking note of the fact that the custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from



CrI.O.P.No.21496 of 2022

the date on which the order copy made ready, before the **learned Judicial Magistrate Kumarapalayam**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees twenty five 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 every day at 10.30 for a period of one week and thereafter as and when required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioner shall not abscond either during investigation or trial;



WEB COPY



Crl.O.P.No.21496 of 2022

A.D.JAGADISH CHANDIRA.J.

shk

[g] 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]***; and;

[h] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

23.09.2022

shk

Crl.O.P.No.21496 of 2022