



Crl.O.P.No.21895 of 2022

Crl.O.P.No.21895 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), 323, 324 and 506(ii) of IPC r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No.556 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to family dispute, the petitioner along with others abused the defacto complainant, intimidated her and also assaulted her. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner and the defacto complainant are relatives and due to family dispute, a false complaint has been foisted against him. He would further submit that it is only an account of family dispute, the petitioner and the defacto complainant are not strangers. He would also submit that the co-accused in this case has already been granted with the anticipatory bail



Crl.O.P.No.21895 of 2022

WEB COPY

by this Court in Crl.O.P.No.20447 of 2022 and hence he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that due to family dispute, the petitioner along with others abused the defacto complainant, intimidated her and also assaulted her. He would further submit that there is one previous case pending against the petitioner. Hence he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Heard both the learned counsels and perused the materials available on record.

6.Taking into consideration the facts and the submissions of the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;



CrI.O.P.No.21895 of 2022

WEB COPY

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Ambattur on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties 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 twice daily 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;



WEB COPY



Crl.O.P.No.21895 of 2022

[d] the petitioner 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 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 absconds, a fresh FIR can be registered under Section 229A IPC;

14.09.2022

vkr



WEB COPY



Crl.O.P.No.21895 of 2022

A.D.JAGADISH CHANDIRA, J.

vkf

Crl.O.P.No.21895 of 2022

14.09.2022