



Crl.O.P.No.22019 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 offences punishable under Sections 294(b), 324 and 506(ii) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.434 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the 2nd wife of elder brother of the petitioner. Due to land dispute, the petitioner abused the defacto complainant in filthy language and assaulted her with handle of the spade and also threatened her. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner and the defacto complainant are relatives and he is an innocent person. Due to land dispute, a false case has been foisted against him. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.22019 of 2022

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4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that due to land dispute, the petitioner abused the defacto complainant in filthy language and assaulted her with handle of the spade and caused injuries. He would further submit that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.

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

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thiruthuraipoondi, Thiruvarur District 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



Crl.O.P.No.22019 of 2022

WEB COPY

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 everyday at 10.30 a.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 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



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Crl.O.P.No.22019 of 2022

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;

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Crl.O.P.No.22019 of 2022

A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.22019 of 2022

13.09.2022