



Crl.O.P.No.22205 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 366, 447, 511 and 506(ii) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No. 997 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that A1 in this case is an advocate and the victim is also an advocate and A1 had love affair with the victim/sister of the defacto complainant and it was objected to by the family members. While so, on the day prior to the marriage of the victim, A1 along with the other accused, trespassed into the house and assaulted the defacto complainant's uncle and other family members and had kidnapped the victim girl. Based on the complaint given by the defacto complainant, a case was registered as against the accused. Hence the complaint.



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3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners are friends of the main accused and due to love affair between the first accused and the victim girl, the brother of the victim girl had lodged a false complaint against the accused persons. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that this Court had granted anticipatory bail to the first accused . However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail with certain conditions.



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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 No.I, Tiruppur** on condition that the petitioners shall execute separate 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 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., until further orders.

[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.



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

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

15.09.2022

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