



Crl.O.P.No.22374 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), 323 and 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No.49 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 08.04.2021, during the temple festival, the petitioner abused the de-facto complainant in a filthy language, intimidated her and also harassed her. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that during the temple festival, there was a wordy quarrel and due to the previous enmity, the de-facto complainant has given an exaggerated complaint against the petitioner. He would also submit that the petitioner is an innocent person and he has been falsely implicated in this case and the petitioner is prepared to comply with any stringent condition imposed



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by the Court. Thereby, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that there exist a previous enmity, the petitioner abused the defacto complainant in a filthy language, intimidated her and also assaulted her. He would also submit that the injured has been discharged from the hospital and there is no previous case as against the petitioner. However, he opposed to grant 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 and also of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;



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7. 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 No.III, Tirupattur 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 daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.



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[c] the petitioner shall not tamper with evidence or witness during trial;

[d] the petitioner shall not abscond during 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;

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