



Crl.O.P.No.22359 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), 506(i) of IPC and Section 4 of the Women Harassment Act in Crime No.81 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to dispute regarding of parking of vehicles, the petitioners abused the defacto complainant in a filthy language, intimidated her and also harassed her. It is a specific case of the defacto complainant is that the 2nd petitioner while harassing her had also exposed his private part to her. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and that a false complaint has been given against them, due to a quarrel between the petitioners and the defacto complainant who are the neighbours. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) would submit that the 1st petitioner is a Senior Revenue Officer and that by influencing his position, he had created problems with the defacto complainant always. On the date of occurrence, he along with his two sons have abused the defacto complainant in a filthy language, intimidated her and also harassed her. During such incidents, the 2nd petitioner, who is the son of the 1st petitioner had exposed his private part to her. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also considering the nature of offence committed by the 2nd petitioner, this Court is not inclined to grant anticipatory bail to the second petitioner. As far as the petitioners 1 and 3 are concerned, this Court is inclined to grant anticipatory bail with certain conditions.

6. Accordingly, the petitioners 1 and 3 are ordered to be released on bail in the event of arrest or on their appearance, within a period of



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fifteen days from the date on which the order copy made ready, before the learned XVII Metropolitan Magistrate Court, Saidapet on condition that the petitioners 1 and 3 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 petitioners 1 and 3 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 1 and 3 shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, shall report before the respondent Police every Saturday at 10.30 a.m., until further orders;

[c] the petitioners 1 and 3 shall not tamper with evidence or witness either during investigation or trial;



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[d] the petitioners 1 and 3 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 petitioners 1 and 3 in accordance with law as if the conditions have been imposed and the petitioners 1 and 3 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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