



Crl.O.P.No.24547 of 2022

Crl.O.P.No.24547 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 442, 324 and 506(ii) of IPC r/w 4 of Tamil Nadu Prohibitions of Harassment of Women Act, 2002 in Crime No.149 of 2022, seek anticipatory bail.

2. The case of the prosecution is that, since the defacto complainant questioned about the illicit intimacy, the accused had assaulted the defacto complainant with hands and wooden log. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and due to matrimonial dispute, false complaint has been lodged. Thereby, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) would submit that due to family dispute, the petitioners had assaulted the defacto complainant with hands and wooden log. He would further submit that the



injured victim has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioner.

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

6. 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 **Judicial Magistrate, No.III, Tirupattur** on condition that the petitioner 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 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



WEB COPY



Crl.O.P.No.24547 of 2022

Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily 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 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.

13.10.2022

Sma/mka

A.D.JAGADISH CHANDIRA,J.

Sma/mka

Page 3 of 4



WEB COPY



Crl.O.P.No.24547 of 2022

Crl.O.P.No.24547 of 2022

13.10.2022