



Crl.O.P.No.24800 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, 427 & 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.461 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the accused person, due to political enmity with respect to conducting inauguration ceremony of Anganwadi Centre and erecting inscription, attacked the defacto complainant and his family members on 03.10.2022 and also on 05.10.2022 and caused damage to the two wheelers and also threatened them with dire consequences. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and due to political enmity, a false complaint has been given against them. He would further submit that in fact the de-facto complainant and others have assaulted the petitioners and his family



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members in respect of which, a case has been registered in Crime No.462 of 2022 on the complaint given by the son of the first petitioner and it is a case in counter. Hence, he prays for grant of bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that due to political enmity with respect to conducting inauguration ceremony of Anganwadi Centre and erecting inscription, the accused persons have attacked the defacto complainant and his family members and caused damage to the two wheelers and also attacked them wooden log. He would further submit that it is a counter case. Hence he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Taking into consideration the facts and submissions of the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioners 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, Kancheepuram, on condition that each of the petitioners shall execute a 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 p.m., until further orders.



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[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;

[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;

13.10.2022

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