



Crl.OP.No.25193 of 2022

A.D.JAGADISH CHANDIRA, J.

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 324, 506(ii) of IPC, 1860 and Section 4 of Tamilnadu Prohibition of Harassment of Women (Amendment) Act,2002 in Crime No.160 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the son of A3 and the son of the defacto complainant were studying in the same school and there arose a quarrel between them, due to which, the petitioner along with other accused abused the defacto complainant in filthy language and assaulted him Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has falsely implicated in this case. He would further submit that son of A3 and the defacto complainant's son were studying in the same school and there was a dispute between them. During the dispute, the defacto complainant assaulted A3. Therefore, A3 lodged a



counter complaint as against the defacto complainant in Cr.No.161 of 2002.

Hence, he prays to grant anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl. Side) would submit that the petitioner along with other accused assaulted the defacto complainant and his family members on account of dispute between the sons of the defacto complainant and A3. He would further submit that it is a case and case in counter. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions made by the counsel and it is a case and case in counter, 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 *learned Learned Additional Mahila Court, Tiruvallur* on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand**



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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 every day at 10.30 a.m., for a period of two weeks and thereafter as and when required for an interrogation.

[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**



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

26.10.2022

Vv

A.D.JAGADISH CHANDIRA, J.

Vv



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26.10.2022