



Crl.O.P.No.27099 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 offence punishable under Sections 294(b), 355, 323, 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime.No.310 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the de facto complainant Dr.Indira Priyadharshini is that on 25.10.2022, while she was talking with her friend Dr.Prabhu Thilak in a Restaurant in VR Mall, Chennai, the said Prabhu's wife Shruthi and her parents had abused her with filthy language and assaulted with hands and slippers and when it was questioned by Dr.Prabhu Thilak, he was also assaulted by the petitioners/accused and they have also torn the dresses of the de facto complainant. Hence the case.



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3. The learned counsel for the petitioners would submit that a case of the family dispute has been exaggerated and a false complaint has been foisted against the petitioners. He would further submit that the petitioners are father-in-law and the mother-in-law of the said Dr.Prabhu Thilak. He would also submit that the petitioners are parents of A1 and the said Dr.Prabhu Thilak is none other than the husband of A1 and he was having illegal affair with the de facto complainant and when it was questioned by the petitioner's daughter/A1 and the petitioners/A2 & A3, a false complaint has been given. Based on the false complaint, A1 has been arrested and later she has been enlarged on bail. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioners are the parents of A1. A1's husband and the de facto complainant are known to each other and while they were discussing in a restaurant, the petitioners/accused had abused the de facto complainant with filthy language and assaulted her with



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hands and slippers and also torn her dress in public place. Therefore, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also the submissions of both sides, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 XIII Metropolitan Magistrate, Egmore, Madras** on condition that each of the petitioner 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



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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 everyday at 10.30 a.m., for a period of one week and thereafter as and when required for interrogation.

[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]*; and;



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

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