



Crl.O.P.No.27135 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 294(b) and 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.134 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioners picked up a wordy quarrel with the de facto complainant and threatened her with dire consequences. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that the first petitioner is a senior citizen aged about 62 years. There is a existing dispute between the parties. He would also submit that it is a case a case in counter and based on the complaint given by the petitioners, a counter



Crl.O.P.No.27135 of 2022

WEB COPY

case in Crime No.133 of 2022 has been registered by the respondent police. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that due to civil dispute, the petitioners picked up a wordy quarrel with the de facto complainant and threatened her with dire consequences. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Taking into consideration of the facts and submission that it is a case and case in counter and further on the complaint given by the petitioners, the counter case was also registered in Crime No.133 of 2022, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CrI.O.P.No.27135 of 2022

WEB COPY

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 Judicial Magistrate, Vandavasi** 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 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 first petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation and the second petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.**



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Crl.O.P.No.27135 of 2022

A.D.JAGADISH CHANDIRA, J.

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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.

11.11.2022

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Crl.O.P.No.27135 of 2022