



Crl.OP.No.27050 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 323, 324, 506(ii) IPC and 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.1076 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant one Shenbagavalli are relatives. There was a dispute between them regarding usage of common pathway. While so, on 22.10.2022, there arose a wordy quarrel between the petitioners and the defacto complainant. During the said quarrel, they attacked each other. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that there is a counter case registered against the defacto complainant. Hence, he prays



to grant anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that there arose a wordy quarrel between the petitioners and the defacto complainant. During the said quarrel, they attacked each other. He would submit that it is a case and a case in counter. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts and the submissions, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:-

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 Judicial Magistrate-II Court, Alandur on condition that 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



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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, second and fourth petitioner shall report before the respondent police daily at 10.30 a.m., until further orders and the third petitioner shall report before the respondent police daily 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

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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 abscond, a fresh FIR can be registered under Section 229A IPC.

25.11.2022

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