



Crl.OP.No.28192 of 2022

Crl.O.P.No.28192 of 2022

WEB COPY

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest for the alleged offence under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.213 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 08.11.2022, the defacto complainant one Shakithabanu went to Aavin Milk Booth at Vathavasi Government Hospital and purchased milk from the employee namely the petitioner herein. While giving balance amount, the petitioner holding the hands of the defacto complainant, asked for her mobile number. When, the same was informed to the husband of the defacto complainant, her husband reprimanded the petitioner for his action. However, the petitioner was doing the same activity. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the defacto complainant's husband on the prior date during



Crl.OP.No.28192 of 2022

the quarrel had assaulted the petitioner. Due to which, he sustained injuries and taking treatment in the hospital and the defacto complainant's husband, fearing that the petitioner may give a complaint against him, has given a false complaint through his wife against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned learned Additional Public Prosecutor appearing for the respondent would submit that the defacto complainant purchased milk from the petitioner herein. While giving balance amount, the petitioner holding the hands of the defacto complainant, asked for her mobile number. When, the same was informed to the husband of the defacto complainant, her husband reprimanded the petitioner for his action. However, the petitioner was doing the same activity. He would further submit that there is no previous case pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned



Crl.OP.No.28192 of 2022

WEB COPY

Additional Public Prosecutor and perused the materials available on record.

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

7. 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 Judicial Magistrate, Vanthavasi, Tiruvannamalai District on condition that the petitioner shall execute a 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may



CrI.OP.No.28192 of 2022

obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[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 Kerala [(2005)AIR SCW 5560]**.

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

25.11.2022

Anu

A.D.JAGADISH CHANDIRA, J.

Anu



WEB COPY



Crl.OP.No.28192 of 2022

Crl.O.P.No.28192 of 2022

25.11.2022