



Crl.OP.No.29042 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 354, 506(1) IPC r/w Section 4 of Tamil Nadu Harassment of Women Act in Crime No.202 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Ambika is that there was a previous relationship between her and the accused. The further allegation is that on 24.10.2022, the accused trespassed into her house and outraged her modesty. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person. Admittedly, there was a relationship between the petitioner and the defacto complainant. Since the petitioner severed the relationship, a false complaint has been given against him. However, without prejudice, he is ready and willing to stay away from the defacto complainant for some time and also undertakes



Crl.OP.No.29042 of 2022

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that he will not interfere with the life of the defacto complainant. 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 petitioner had trespassed into the house of the defacto complainant and outraged her modesty. Hence, he opposed to grant anticipatory bail to the petitioner.

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



Crl.OP.No.29042 of 2022

Judicial Magistrate-I, Tindivanam 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 obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall stay at Chennai and report before the North Beach Police Station, Chennai 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

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Crl.OP.No.29042 of 2022

Anu

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.

29.11.2022

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Crl.O.P.No.29042 of 2022