



Crl.OP.No.29113 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 354(D), 354(A), 109, 506(1) IPC r/w 4 of Tamil Nadu Women Harassment Act, 2002 in Crime No.7 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Jamuna, daughter of Chandirasekar is that the accused used to be friendly with her and later, she came to understand that A1 was having relationship with her with different intention and he had also threatened her saying that he got her private videos, which would be uploaded in the social media. The further allegation is that A2, who is the wife of the first petitioner had compelled her to marry her husband as his second wife. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and that they are



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husband and wife. He would submit that initially, there was a relationship between the first petitioner and the defacto complainant, due to which there was a quarrel in the family. The family members of the defacto complainant had abused the first petitioner and his family members and harassed them. On the complaint given by the mother of the first petitioner, enquiry was conducted in C.S.R.No.416 of 2022 by the Avinankudi Police Station and as a counter blast, a false complaint has been given against the petitioners. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners are husband and wife. It is alleged that the first petitioner has misbehaved with the defacto complainant and continued to stalk her. Hence, 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:-



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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 learned Judicial Magistrate, Thittagudi 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 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

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

29.11.2022

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