

Crl.O.P.No.29663 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act in Crime.No.369 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on 02.10.2022 at about 04.00 p.m., when the defacto complainant and her two sons went to park at Saidapet, Vellore and her sons and other children were playing and she was sitting on the park bench, while at that time A1 by name Prasath @ Mani and A2 Geetha Mani and this petitioner were in drunken mood and selling ganja to someone and the defacto complainant was watching them, on seeing her, A1 went there and raised objection for watch them, due to that quarrel arose between them, in continuation of quarrel, they were joined together and beaten her with hands. On seeing their attack, her sons went and intervened and that they were also attacked by them and they were threatened her that not to disclose about the selling of ganja to anyone, if she would disclose the same to any one they will do away her and her son by showing stone. Hence, the complaint.



3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any such offence as alleged by the prosecution and has been falsely implicated in this case. Hence, he prays to grant anticipatory bail the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner along with other accused had illegally sold ganja. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate Additional Magila Court, Vellore** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police every



everyday at 10.30 a.m. for a period of three months and thereafter, appear before the trial Court on all hearing dates.

(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 anticipatory 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]*; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

22.12.2022

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