

**CrI.O.P.No.29661 of 2022**

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offences under Sections 341, 294(b), 324, 420, 506(1) and 34 of IPC r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2022 in Crime.No.268 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that one Johnson William, who is the husband of the de-facto complainant, he was allowed to supply foods to the room inmates of Purestays Hotel. The quality of the food was not satisfied by the Hotel Management and therefore, they decided to stop the food supply. Thereafter, dispute arose between the petitioner and the de-facto complainant's husband with regard to payment, the de-facto complainant asked to give vouchers, invoice bills and any other documents in support of his claim, at that time, the petitioner attacked the de-facto complainant's and also threatened him. Hence, the complaint.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. The de-facto Complainant demanded a sum of Rs.10,90,000/- from the petitioner, failing which, he will not allow any other person to supply the food to the room inmates. Thereafter, a Complaint was lodged with the respondent on 30.04.2021 by Vinayak nair A-3 who died against the de-facto complainant and his wife, due to which, the de-facto complainant filed a present Complaint on the same day, by making a false and baseless allegations. However, he would submit that the petitioner, without prejudice to his rights and contentions is ready and willing to deposit some amount to the credit of Crime No.268 of 2022. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the case is under investigation. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions and that the petitioner is ready and willing to deposit some amount to the credit of Crime.No.268 of 2022, this Court is inclined to grant



anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is directed to deposit a sum of Rs.2,00,000/- (Rupees Two lakhs Only) to the credit of Crime.No.268 of 2022 within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the **learned Judicial Magistrate, Tambaram** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix his 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 deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) each to the credit of Crime.No.268 of 2022 within a period of four weeks from the date on which the order copy made



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ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the concerned learned Judicial Magistrate daily at 10.30 a.m., for a period of two months and thereafter, as and when required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.

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

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