



Crl.O.P.No.30777 of 2022

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence punishable under Sections 294(b), 323 of IPC read with Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, 2002 in Crime No.165 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity petitioners abused the defacto complainant using filthy language and physically assaulted her. Hence, the complaint.

3. The learned counsel appearing for the petitioners submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that due to



previous enmity petitioners abused the defacto complainant using filthy language and physically assaulted her. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance before the **Judicial Magistrate, Katpadi, Vellore District** on condition that the each of the petitioners 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 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 1st and 3rd petitioners are directed to report before the respondent police as and when required for interrogation and the 2nd petitioner is directed to report before the respondent police daily at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation;

[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



Crl.O.P.No.30777 of 2022

P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

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

16.12.2022

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