

Crl.O.P.No.31231 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b), 323, 324 & 506 (ii) IPC r/w Section 4 of Tamil Nadu Women Harassment Act in Cr.No.529 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to financial dispute between the petitioner and the defacto complainant, there arose a wordy quarrel between them, in which the petitioner along with other accused trespassed into the house of the defacto complainant and assaulted him. Due to which, she has sustained grievous injuries and she along with her daughter were admitted in the hospital. Hence, the case.

3.The learned counsel appearing for the petitioner submits that she is an innocent person and she has been falsely implicated in this case. He would submit that the defacto complainant sustained only simple injuries. He would further submit that A1 has been released on bail after alternation of the F.I.R. Hence, he prays to grant anticipatory bail to the petitioner.



WEB COPY

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to a financial dispute between the petitioner and the defacto complainant, there arose a wordy quarrel between them, in which the petitioner along with other accused trespassed into the house of the defacto complainant and assaulted him. Due to which, she has sustained grievous injuries and she along with her daughter were admitted in the hospital. He would further submit that the defacto complainant has passed away due to the injuries. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and that A1 has been released on bail after alteration of the F.I.R, this Court is inclined 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Tittagudi** 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 as and when required for interrogation;

(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 herself 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.

20.12.2022

anu



WEB COPY



4

Crl.O.P.No.31231 of 2022

T.V.THAMILSELVI, J.

anu

Crl.O.P.No.31231 of 2022

20.12.2022