



Crl.O.P.No.32480 of 2022

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WEB COPY **A.A.NAKKIRAN, J.**

The petitioners, who apprehend arrest for the alleged offence under Sections 147, 294(b), 323 and 506(ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act 2002 in Crime No.236 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are neighbours. On 16.11.2022 defacto complainant's husband went to field for grazing goats, on the same day the defacto complainant proceeded to field for helping her husband, on seeing her, the first petitioner scolded her with filthy language and asked the other co-accused to remove her sari, on her direction second and third petitioners try to removed her sari and she prevented them and petitioners 4 to 6 were caught hold her and second and third petitioners pulled her sari and the first petitioner attacked her with Thadi on her head and she sustained bleeding injury and got fainted and the



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neighbours were informed the incident to her husband, immediately he rushed there and wordy altercation arose between both the parties and attacked each other and both were sustained injuries and the defacto complainant was taken into the Government Hospital, during the course of her treatment statement was recorded. Hence the complaint.

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

4. The learned Government Advocate (Crl.side) submitted that the defacto complainant and the petitioners are relatives, they used filthy language. Injured discharged from hospital, case in counter. A2 have one previous case. However, he vehemently opposed to grant anticipatory bail to the petitioners.



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5. Considering the facts and circumstances of the case and also

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considering the submission made by the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the *learned Judicial Magistrate, Katpadi* on condition that the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent



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police daily at 10.30 a.m. for a period of four 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 ***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.

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