



Crl.O.P.No.13 of 2023

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 in Crime No.1381 of 2022, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioners abused the defacto complainant and his wife in a filthy language and also assaulted them with iron rod. Hence the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are running the laundry shop and due to previous enmity, a false complaint has been given against them. He would further submit that they have nothing to do with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to previous enmity, the petitioners abused the defacto complainant and his wife in a filthy language and also assaulted them with iron rod. He would submit that the injured has been discharged from the hospital. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6.Considering the facts and circumstances of the case and the submissions made by the learned counsel and also of the fact that the injured has been discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before



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the learned Judicial Magistrate No.II, Alandur on condition that each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners shall report before the respondent police station 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,



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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]*; and;

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

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