



Crl.O.P.No.191 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), 323 & 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No. Not known of 2022, seek anticipatory bail.

2. The case of the prosecution as per the *de-facto* complainant is that due to the previous enmity, the accused, who are the neighbours of the *de-facto* complainant, picked up a quarrel with the *de-facto* complainant and family and during which, they abused them in a filthy language, assaulted with hands and threatened them with dire consequences. Based on the complaint given by the *de-facto* complainant, a case in Crime No.830 of 2022 was registered as against the petitioners. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the *de-facto* complainant used to



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abuse the petitioners using their caste name and against which, the petitioners have lodged a complaint in C.S.R.No.1157 of 2022 and only in order to evade from the case, a false case has been lodged as against the petitioners. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) submitted that due to the existing dispute, there was a wordy quarrel between the petitioners and the de-facto complainant, during which, the petitioners abused and assaulted the de-facto complainant with hands. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. 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 the learned **Judicial Magistrate, Sriperumbudur** on condition that the petitioners shall execute a separate 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 appear before the respondent Police as and when required for interrogation;**

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[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]**;

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

06.01.2023

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