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Crl.O.P.No.159 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), 341, 354 and 506(i) of IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 1998 in Crime No.565 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is an Advocate who is appearing on behalf of the husband of the 3rd petitioner. The further allegation is that the petitioners herein waylaid her and threatened her not to appear on behalf of the husband of the 3rd petitioner. She refused for the same, the petitioners abused her in a filthy language and threatened her. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that they have nothing to do with the



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alleged offence. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (crl.side) for the respondent Police appearing for the respondent would submit that the petitioners herein waylaid the defacto complainant who is an Advocate appearing on behalf of the husband of the 3rd petitioner and threatened her not to appear on behalf of the husband of the 3rd petitioner. She refused for the same, the petitioners have abused her in a filthy language and threatened her. He would further submit that the investigation has been completed. However, he opposed for grant of anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances and also of the submissions made by the learned counsel and also of the fact that the investigation has been completed, 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 their appearance, within a period of fifteen days



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from the date on which the order copy made ready, before the **learned Judicial Magistrate No.III, Coimbatore** on condition that each of the petitioners shall execute 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 report before the respondent police 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



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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 159-A IPC.

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