

Crl.O.P.No.390 of 2023

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 147, 148, 294(b), 323, 324, 506(2) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 in Cr.No.2 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's younger son had received money from all the petitioners and he had not repaid the amount, due to which the petitioners came to the defacto complainant's house and had a wordy quarrel with the defacto complainant's younger son and threatened with criminal intimidation. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons 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) would submit that



totally there are nine accused, the petitioners are arrayed as A1 to A9. He further submit that there is no previous case as against the petitioners. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the fact and submissions of the learned counsel on both side, this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Omalur, Salem District**, 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 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 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 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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