



Crl.O.P.No.654 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 323 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.1341 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant gave the complaint on the petitioner stating that on giving false promise for marrying her, the petitioner had an illegal intimacy with another girl when the same was questioned, she was assaulted. Hence the case.

3.The learned counsel appearing for the petitioner would submit that in the FIR, no specific date and the date of occurrence of the alleged crime was not mentioned. He would further submit that he has nothing to do with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner was an illegal relationship with another girl and for questioning the same, she was abused and assaulted. He further submits that the petitioner has no previous case pending against him. 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 petitioner has no previous case pending against him, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioner 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 on which the order copy made ready, before the



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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) 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 petitioner 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 petitioner shall report before the respondent police station for every Sunday at 10.30 a.m, for a period of eight weeks,

(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, the learned Magistrate/ Trial Court is entitled to take



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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;

11.01.2023

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