

Crl.O.P.No.2819 of 2023

T.V.THAMILSELVI, J.

The petitioners, who apprehends arrest for the alleged offence under Sections 294(b), 323, 324, 506(ii) of I.P.C R/w 4 of Tamilnadu Women Harassment Act, 2002 in Crime No.20 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant, due to which the petitioners abused and attacked the defacto complainant. The further case of the prosecution is that the defacto complainant sustained injuries. Hence the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there was a wordy quarrel between the petitioners and the defacto complainant, due to which the petitioners abused and attacked the defacto complainant. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the fact that only due to the wordy quarrel the occurrence took place, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **District Munsif Cum Judicial Magistrate Court at Cheyyur** on condition that 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 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 anticipatory 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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