



Crl.O.P.No.4134 of 2023

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WEB COPY **T.V.THAMILSELVI,J.**

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) of IPC r/w. 4 of TNWH Act in Crime No.7 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is working along with the de-facto complainant's husband. While so, the petitioner continuously contacted the de-facto complainant through phone, harassed her and forced her to be in affair with him. When the same was refused by the de-facto complainant, the petitioner went to the de-facto complainant's house, threatened her, abused her using filthy language and attacked her, due to which, the de-facto complainant sustained injuries. Hence the complaint.

3. Learned counsel for the petitioner would submit that the petitioner is an innocent person and he is in no way connected with the alleged offence. Hence, hence, he prays for grant of anticipatory bail to the petitioner.



4. Learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioner abused the de-facto complainant, threatened her continuously and forced her to be in affair with him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is 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 learned *Judicial Magistrate, Katpadi* 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:

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[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 on every Tuesday and Sunday at 10.30 a.m., for a period of two months.

[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 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]**.

[f] If the accused thereafter absconds, a fresh



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FIR can be registered under Section 229A IPC.

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