



Crl.O.P.No.4152 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent Police for the offences punishable under Section 294(b), 352, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.28 of 2023, seeks anticipatory bail.

2. The case of prosecution is that the defacto complainant is the Village Panchayat President, when she hoist the National Flag at school, due to previous enmity, the petitioner along with some other accused had abused the defacto complainant in filthy language and also threatened her not to hoist the National Flag. Hence, the complaint.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has nothing to do with the alleged offences and due to Political vendetta between them, he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that due to previous enmity, the petitioner along with some other accused had abused the defacto complainant, who is President of Village Panchayat, while hoisting the flag at school function. He further submits that one previous case is pending against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and 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 bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned ***Judicial Magistrate No.I, Kanchipuram***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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Only) with two sureties 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 on every Tuesday at 10.30 A.M., for a period of six weeks and thereafter as and when required for interrogation.

[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



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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;

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28.02.2023

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