

CrI.O.P.No.4628 of 2023

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b), 324, 506(2) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Cr.No.271 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner purchased sarees from the defacto complainant's sister and refused to repay the money to the sister of the defacto complainant. When the same was questioned by the defacto complainant, the petitioner and one other attacked the defacto complainant with brick stone and steel rod. Due to which, the defacto complainant sustained grievous injuries. Hence, the present complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner, without prejudice to his rights and contentions is ready and willing to deposit Rs.10,000/- to the credit of Cr.No.271 of 2022 as directed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.



4.The learned Government Advocate (CrI.Side) appearing for the respondent police submits that the injured person has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and the submissions made by both counsel, the petitioner shall voluntarily come forward to deposit Rs.10,000/- (Rupees ten thousand only) to the credit of Cr.No.271 of 2022, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is directed 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.1, Namakkal** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties (one of which shall be a blood related surety), 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:

WEB COPY

(a) the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of Crime No.271 of 2022 before the concerned Magistrate within a period of four weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below and on such deposit, the victim is permitted to withdraw the said deposit amount of Rs.10,000/- on proper identification and acknowledgment;

(b) the petitioner 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;

(c)the petitioner shall report before the respondent police on every Tuesday at 10.30 a.m., for a period of six weeks;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

**T.V.THAMILSELVI, J.***rap*

(f)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]***; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

02.03.2023*rap***Crl.O.P.No.4628 of 2023**