



Crl.O.P.No.4891 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.56 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the de facto complainant is working as a daily coolie with the petitioner's husband, who is A1 and used to receive hand loan from A1. On 01.02.2023 at about 9.15 p.m., both the petitioner and her husband came to the defacto complainant's house and quarrelled with them and alleged to have threatened them and abused them with filthy language. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the defacto complainant had given a false complaint as against the petitioner and her husband. He would also submit that there is no previous case as against the petitioner. Hence, he prays for grant of anticipatory bail to the



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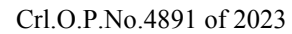
petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the dispute arose due to the money transaction. He would further submit that the petitioner has no previous case against her. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and the submissions made on both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate, Kumarapalayam**, on condition that the petitioner shall



[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 his Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

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[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 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 FIR can be registered under Section 229A IPC.

06.03.2023

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