



CrI.O.P.No.5109 of 2023

CrI.O.P.No.5109 of 2023

WEB COPY

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(i) of IPC and Section 66 of IT Amendment Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.6 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the accused who is the son-in-law of the defacto complainant had called him over phone and threatened him with dire consequences. Hence the complaint.

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 and due to matrimonial dispute, a false case has been foisted against him. Further he submitted that there are other litigations pending before the petitioner and his wife before various



CrI.O.P.No.5109 of 2023

WEB COPY

Courts and only to wreck vengeance, a false case has been foisted against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner is the son-in-law of the defacto complainant. On account of matrimonial dispute, the petitioner threatened the defacto complainant over phone. Hence, 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 either 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 his appearance, within a period of fifteen days from



CrI.O.P.No.5109 of 2023

the date on which the order copy made ready, before the **learned Judicial Magistrate No.II, Mannargudi**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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, 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 his Aadhar card or Bank pass Book to ensure their identity.

[b] **the petitioner shall report before the respondent police every day at 10.30 a.m., for a period of two 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



WEB COPY



CrI.O.P.No.5109 of 2023

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 FIR can be registered under Section 229A IPC.

07.03.2023

mn



WEB COPY



CrI.O.P.No.5109 of 2023

A.D.JAGADISH CHANDIRA, J.

mn

CrI.O.P.No.5109 of 2023

07.03.2023