



Crl.O.P.No.5500 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.20 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the de facto complainant's brothers came to his house, while returning to their home, the 1st accused quarrelled with them, when the same was questioned, the 1st accused and the other accused who were in an inebriated condition abused the defacto complainant and her brothers with filthy language and dire consequences. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and a false complaint has been given against them. There is a wordy quarrel between the petitioners and the



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defacto complainants' brothers. There is no previous case as against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor for the respondent would submit that there is a wordy quarrel between the petitioners and the de facto complainants' brothers, when the same was questioned, the petitioners and other accused abused them with filthy language and dire consequences. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the submissions made by the learned Counsel, this Court is inclined to grant anticipatory bail with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned**



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District Munsif cum Judicial Magistrate, Needamangalam on condition that each of the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 petitioners 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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter on every saturday at 10.30 a.m., until further orders;

[c] the petitioners 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;

10.03.2023

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