



Crl.O.P.No.5642 of 2023

Crl.O.P.No.5642 of 2023

WEB COPY

A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(ii) of IPC r/w Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 1988, in Crime No.82 of 2023, seek anticipatory bail.

2. The case of the prosecution is that on 01.03.2023, the defacto complainant's grandson named Sudhan and A1 were playing Carrom board. At that time, there was a wordy quarrel between them regarding winning of the game. Subsequently, they both attacked each other. After sometime, the said Sudhan came with his family members and abused A1 in filthy language and also assaulted him by using sickle and wooden logs in turn, A1 to A4 retaliated the same using wooden logs and also abused him in filthy language. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence



Crl.O.P.No.5642 of 2023

as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that the petitioners attacked the de facto complainant's grandson with wooden logs and thereby, caused severe injuries on him. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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 petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of



Crl.O.P.No.5642 of 2023

WEB COPY

fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Vanur**, on condition that each of the petitioner 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 his Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police every day 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.



WEB COPY



CrI.O.P.No.5642 of 2023

[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.

13.03.2023

jas



WEB COPY



Crl.O.P.No.5642 of 2023

A.D.JAGADISH CHANDIRA, J.

jas

Crl.O.P.No.5642 of 2023

13.03.2023