



Crl.O.P.No.6056 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 353, 506(i) of IPC read with under Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.76 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the de facto complainant Kannagi, the Joint Director of Medical Department, Vellore, is that on 09.03.2023, she has conducted inspection/enquiry in petitioner's College by name St.John's College of Nursing, Vellore, for student certificate issues, at that time, the petitioner/accused picked up a wordy quarrel with her, abused and prevented her from discharging the duties. 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



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alleged by the prosecution. He would further submit that the petitioner is running the educational institution following all the norms, whereas, the de facto complainant for reasons best known to her, has given a false complaint, as if the petitioner prevented her from discharging the duties. He would also submit that the petitioner is ready and willing to furnish solvent sureties and to abide by any stringent condition that may be imposed on him. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that on 09.03.2023, while the de facto complaint, who is the Joint Director of Medical Department, Vellore, was conducting inspection/enquiry in petitioner's college, at that time, the petitioner picked up a wordy quarrel with the de facto complainant, abused her and also prevented her from performing/discharging the duties. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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

6. Taking into consideration the facts and circumstances of the case and the submissions made by Counsel on either side, 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 the date on which the order copy made ready before **the learned Judicial Magistrate No.1, Vellore**, on condition that **the petitioner shall execute a 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 petitioner and the sureties shall affix their



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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 petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

16.03.2023

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