



Crl.O.P.No.6319 of 2023

WEB COPY

Crl.O.P.No.6319 of 2023

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, 506(i) r/w 4 of Women Harassment Act of IPC, in Crime No.77 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioners had abused the defacto complainant with filthy language, assaulted her and also attempted to remove her saree. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and a false complaint has been registered against them. He would further submit that there was a dispute between the first petitioner and the son of the defacto complainant, who is a history sheeted rowdy involved in several cases. He would further submit that the



Crl.O.P.No.6319 of 2023

defacto complainant is bent upon registering a false complaint against the petitioners with the help of the police and since the respondent has registered a false case, the petitioner has approached this Court in W.P.No.11478 of 2023 and the same has been admitted by this Court. Hence, he prays for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that as per the complaint, the petitioners had abused the defacto complainant in filthy language and also attempted to outrage her modesty by pulling her saree. He would further submit that as far as the first and third petitioners are concerned, one previous case is pending against them. Hence, he opposed for grant of anticipatory bail to the petitioners.

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



CrI.O.P.No.6319 of 2023

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioners, 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 fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Ponneri, Thiruvallur District, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten thousand only) with two sureties** 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;



Crl.O.P.No.6319 of 2023

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter 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;

[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]*; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

18.04.2023

jas

Page 4 of 5



WEB COPY



Crl.O.P.No.6319 of 2023

A.D.JAGADISH CHANDIRA. J.

jas

Crl.O.P.No.6319 of 2023

18.04.2023