



Crl.O.P.No.7213 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 294(B), 323, 324, 506(i) of IPC and Section 4 of Tamil Nadu Women Harassment Act in Crime No.719 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that there was a quarrel in between the petitioner and the defacto complainant in respect of parking of vehicle, due to which, the petitioner abused, attacked and threatened with dire consequences. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner was earlier granted anticipatory bail by this Court in Crl.O.P.No.24994 of 2022 vide Order dated 17.10.2022 with certain conditions. However, due to his personal inconvenience and inability to arrange sureties, he was unable to furnish the sureties within the time stipulated by this Court, thereby, the earlier Order has got lapsed and the



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present anticipatory bail petition has been filed. 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 by this Court. Hence, he seeks to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner was granted anticipatory bail by this Court in Crl.O.P.No.24994 of 2022 vide Order dated 17.10.2022, however, he failed to execute the sureties. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and also the submissions of either sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner shall pay a sum of Rs.2,000/- (Rupees Two thousand only) as cost to the **Taluk Legal Services Authority attached to the Court** and on such payment and production of proof, 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 X Metropolitan Magistrate, Egmore, Chennai**, 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 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;



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[b] the petitioner shall report before the respondent police every day 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 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]*; and;

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

17.04.2023

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