



Crl.O.P.No.6892 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 294(b), 323 and 324 of IPC., read with Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 1998, in Crime No.30 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the de facto complainant Chitra, who is the wife of the first petitioner, is that during the second week of February 2023, due to family dispute, there was a quarrel between the petitioners and the de facto complainant and at that time, the petitioners had abused the de facto complainant with filthy language, harassed her and attacked her using hands. 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 as alleged by the prosecution and a false case has been foisted against them. He would also submit that the petitioners are ready and



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willing to furnish solvent sureties and to abide by any stringent condition that may be imposed on them. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent would submit that on account of family dispute, the petitioners had entered into a wordy quarrel with the de facto complainant, abused her with filthy language and harassed her. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

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

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



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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 District Munsif cum Judicial Magistrate at Uthiramerur** 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 their 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., 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.



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[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]**.

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

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