



Crl.O.P.No.7775 of 2023

Crl.O.P.No.7775 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 147, 148, 294(b), 324, 448, 427 and 307 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.143 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to fishing dispute, there was a wordy quarrel arose between the petitioners and the defacto complainant. During the said quarrel, the petitioners abused the defacto complainant and her husband in unparliamentary words, assaulted and damaged the houses belonging to the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and due to fishing dispute, they have been falsely implicated in this case. He would further submit that the petitioners



Crl.O.P.No.7775 of 2023

are belonging to fishermen community. The defacto complainant and her family members created problem and they assaulted the petitioners due to which, there was a wordy quarrel arose between them. He would further submit that the co-accused have been granted anticipatory bail by this Court in Crl.O.P.No.32142 of 2022 dated 23.12.2023 and that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioners abused the defacto complainant in filthy languages, assaulted and threatened with dire consequences. Hence, he opposed for grant of anticipatory bail to the petitioners.

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

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioners and



Crl.O.P.No.7775 of 2023

also of the fact that the co-accused in this case have been granted anticipatory bail by this Court, 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.II, Ponneri, 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;

[b] **the petitioners shall report before the respondent police as and when required for interrogation;**



Crl.O.P.No.7775 of 2023

[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



WEB COPY



Crl.O.P.No.7775 of 2023

**A.D.JAGADISH CHANDIRA. J.**

jas

Crl.O.P.No.7775 of 2023

18.04.2023

Page 5 of 5