



Crl.O.P.No.8260 of 2023

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S.SOUNTHAR, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 427 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002, in Crime No.542 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that there was a dispute regarding a common path way between the petitioner and the de facto complainant. Due to which, a wordy quarrel arose between them and thereby the petitioners attacked the de facto complainant and abused him in filthy language. Hence, the case.

3. The learned counsel for the petitioner submitted that he is an employee in the Military and due to a letter received from the higher authorities, he joined duty and unable to comply with the conditions imposed on him. Now, the petitioner is ready to comply with the conditions. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner attacked the de facto complainant and abused her with filthy language. However, he opposed



for grant of 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 of the fact that this Court has already granted anticipatory bail to the petitioner on 25.10.2021 in Crl. O.P.No.19703 of 2021 and that now, he is ready to comply with the conditions imposed on him, 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, Additional Mahila Court, Krihngagiri**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- each (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 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



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pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

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

04.05.2023

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