



Crl.O.P.No.8003 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 447, 147, 294(b), 323, 506(ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, in Crime No.22 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Usha Rani is that the defacto complainant and the petitioners are neighbours. On the date of Pongal festival, sports event was organized and during the sports event, due to wordy quarrel between the petitioners and the defacto complainant, the petitioners abused and attacked the defacto complainant. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners along with 4 others,



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had approached the Principal Sessions Judge, Ariyalur, by filing a petition Cr.M.P. No.254 of 2023 seeking anticipatory bail and the learned Sessions Judge, by order dated 25.01.2023 had granted anticipatory bail to all the 7 petitioners. However, since the petitioners could not furnish the sureties within the time stipulated by the learned Sessions Judge, the order in respect of the petitioners, got lapsed and thereby, the present petition has been filed before this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would fairly concede that the petitioners were granted anticipatory bail by the Court below by order dated 25.01.2023.

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

6. Considering the above facts and circumstances of the case and the submissions made by the learned counsel on either side and also of the fact that the petitioners were earlier granted anticipatory bail by the



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Court below, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are directed to make a **non refundable deposit of Rs.1,000/- (Rupees One Thousand Only) each, by way of Demand Draft/RTGS/NEFT to the credit of Taluk Legal Services Authority.** On such deposit and production of proof, 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-II, Jayamkondam**, on condition that the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten 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:



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[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 his Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10.00 a.m., for a period 30 days and thereafter, as and when required for interrogation.

[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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered

under Section 229A IPC.

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