



Crl.O.P.No.9035 of 2023

Crl.O.P.No.9035 of 2023

**S.SOUNTHAR, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 323, 324 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.94 of 2023, seeks anticipatory bail.

2. In view of previous enmity, the petitioner herein alleged to have accompanied with other accused attacked the *de facto* complainant and her husband and caused injury. Hence a case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case. He further submitted that the injured has been discharged from the hospital and hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent submitted that due to quarrel, the petitioner along with other accused have abused them in filthy language and also assaulted them



Crl.O.P.No.9035 of 2023

with knife. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side) and perused the materials available on record including the First Information Report.

6. Having regard to the allegations made against the petitioner in the FIR, 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 No.2, Salem**, on condition that the petitioner shall execute a bond 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



Crl.O.P.No.9035 of 2023

the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions 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.

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



WEB COPY



Crl.O.P.No.9035 of 2023

**S.SOUNTHAR, J.**

rpl

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

04.05.2023

rpl

Crl.O.P.No.9035 of 2023