



Crl.O.P.No.8929 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 354(i)(ii) and 506(ii) of I.P.C,1860 in Crime No.190 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Gayathiri is that she was employed by the accused/petitioner in his company viz., M/s.Green Field and Sastha Builders for the past three months, during such time, the accused had sexually abused her and also given sex torture to her and further he used to call her through video call during night hours and harassed her, the same was questioned by her. Due to which, the accused/petitioner had threatened her with dire consequences. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false complaint has been given.



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She would further submit that the petitioner is running a company in the name of Green Field and Sastha Builders and the defacto complainant was employed under him, during such time, the defacto complainant had attempted to steal the data information from the petitioner's company and it is also recorded in the CC.TV Footages of the company. When the petitioner had questioned the defacto complainant, she has given a false complaint as if the petitioner had sexually abused her and also tortured her. He would further submit that the petitioner does not have any previous case against him and thereby, he would seek anticipatory bail to the petitioner.

4.The learned Government Advocate (CrI. Side) appearing for the respondent Police would submit that the defacto complainant was employed under the petitioner and he had harassed her sexually and also abused her. Hence 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 of the case and the



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submissions of the learned Counsel for the parties, 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 Court No.II, Coimbatore** 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 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 pass Book to ensure their identity.

[b] the petitioner shall report before the



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respondent police daily 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]**;

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

02.06.2023

Vv

A.D.JAGADISH CHANDIRA, J.



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