



Crl.O.P.No.8794 of 2023

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K.KUMARESH BABU, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 341, 294(b), 323, 324, 427 & 506(ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.96 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that there was a dispute pending between the de-facto complainant's father and the petitioner's father with regard to distribution of cooly under the Hundred Days Work Scheme. There are four accused, in which the petitioners were arrayed as 3rd and 4th accused. On 19.02.2022, when the de-facto complainant and his father were on their way to Government General Hospital, the petitioners along with other accused abused and threatened them with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the



Crl.O.P.No.8794 of 2023

petitioners are an innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) would submit submit that there is a case in counter. He would further submit that The injured has been discharged from the hospital for simple injury. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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, Ulundurpet, Kallakurichi District on



CrI.O.P.No.8794 of 2023

condition that the petitioners shall execute a bond for a sum of Rs.10,000/- for each person (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 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 daily at 10.30 a.m. for a period of two weeks 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.



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Crl.O.P.No.8794 of 2023

[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

K.KUMARESH BABU, J.

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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.

17.05.2023

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Crl.O.P.No.8794 of 2023



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CrI.O.P.No.8794 of 2023

17.05.2023