



Crl.O.P.No.9037 of 2023

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WEB C **S.SOUNTHAR, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.84 of 2023, seek anticipatory bail.

2. Due to previous enmity, the petitioners are alleged to have attacked the *de facto* complainant, due to which, she sustained injuries. Hence, a case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners have been 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 petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent submitted that due to wordy quarrel, the petitioners assaulted the *defacto* complainant with iron rod, due to which she sustained injuries. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned Counsel for the petitioners and the learned Government Advocate(Crl.Side) and perused the materials available on record.

6. Having regard to the allegations made against the petitioners in the



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

7. 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, Veppanthattai**, on condition that each of the petitioner shall execute a separate 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 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 petitioners shall stay at Coimbatore and report before the R.S.Puram police Station every day at 10.30 a.m., for a period of two weeks.**

[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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[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]**.

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

8. This Criminal Original Petition is ordered with the above directions.

04.05.2023

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