



Crl.O.P.No.9861 of 2023

Crl.O.P.No.9861 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 354A(1)(i), 354A(1)(ii) and 506(i) of IPC in Crime No.8 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has misbehaved with the defacto complainant by pulling her hand in the absence of her husband for satisfying his lust. Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and due to political enmity, a false complaint has been given against him. He would further submit that the petitioner has nothing to do with the alleged offence and he is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would



CrI.O.P.No.9861 of 2023

WEB COPY

submit that the petitioner has misbehaved with the defacto complainant by pulling her hand in the absence of her husband for satisfying his lust. He would further submit that there is no previous case pending as against the petitioner. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case, the submissions of either sides and also of the fact that there is no previous case pending as against the petitioner, 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, Cheyyar, Tiruvannamalai District**, on condition



WEB COPY

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

[b] the petitioner shall stay at Chennai and report before the Inspector of Police, Thousand Lights Police Station, everyday 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



WEB COPY



CrI.O.P.No.9861 of 2023

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.

09.06.2023

vk

A.D.JAGADISH CHANDIRA, J.



WEB COPY



Crl.O.P.No.9861 of 2023

vkx

Crl.O.P.No.9861 of 2023

09.06.2023