



Crl.O.P.No.9662 of 2023

Crl.O.P.No.9662 of 2023

S.SOUNTCHAR, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of I.P.C. read with Section 4 of TN Prohibition of Harassment of Women Act, 2002, in Crime No.193 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's brother-in-law had a love affair with the first petitioner's daughter and both were eloped from their home. Due to which, the first petitioner along with henchmen assaulted her brother-in-law and took his daughter and that her brother-in-law made a complaint against the petitioners before the respondent police. Thereafter, the petitioners came to the defacto complainant's house with deadly weapons, assaulted her and her family members. Hence, the case.



Crl.O.P.No.9662 of 2023

WEB COPY

3. The learned counsel for the petitioners submitted that the petitioners have nothing to do with the said allegation and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that due to previous enmity between the defacto complainant and the petitioners, the petitioners attacked the defacto complainant. The injured was admitted in the hospital and now has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioners.

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

6. Having regard to the facts of the case and the nature of the allegation made against the petitioners and also of the fact that the



Crl.O.P.No.9662 of 2023

WEB COPY

injured has been discharged from the hospital, 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 Additional Mahila Court, Villupuram**, on condition that the petitioners shall execute separate bonds 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 petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate shall obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



Crl.O.P.No.9662 of 2023

[b] the petitioners shall report before the respondent police once in a week at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper the evidence or witness either during investigation or trial.

[d] the petitioners 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 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.

04.05.2023

rsi/rka



WEB COPY



CrI.O.P.No.9662 of 2023

S.SOUNTHAR, J.,
rsi/rka

CrI.O.P.No.9662 of 2023

04.05.2023



WEB COPY



CrI.O.P.No.9662 of 2023