

**Crl OP No.10740 of 2023****K.GOVINDARAJAN THILAKAVADI.J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Section 147, 148, 294(b), 323, 506(i) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.239 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioners and the de facto complainant, as a result of which, the petitioners are said to have attacked the de-facto complainant and caused injuries and there is a case in counter. The respondent police have registered FIR based on complaint given by both the sides in Cr.Nos.239 and 238 of 2023.

3. The learned counsel for the petitioners would submit that a false case has been foisted against these petitioners and they have nothing to do with the alleged offence.

4. The learned Government Advocate (Crl.Side) submitted that totally there are seven accused persons in this case. The learned counsel further submitted that the injured has already been discharged from the hospital.

5. Heard both sides.

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 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 Judicial Magistrate I, Tambaram**, on condition that the petitioner shall execute separate bonds for a sum of Rs.10,000/- each (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.

[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.

10.05.2023

rka/sai



WEB COPY



K.GOVINDARAJAN THILAKAVADI.J.

rka/sai

Crl.O.P.No.10740 of 2023

10.05.2023