



WEB COPY



Crl.O.P.No.10618 of 2023

Crl.O.P.No.10618 of 2023

K.KUMARESH BABU, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 IPC and section 4 of Tamil Nadu Women Harassment Act in Crime No.145 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and defacto complainant belong to same village. On account of a dispute between the petitioners and the defacto complainant regarding a goat belonging to the petitioners entered into her land and ate some plants grown by her, there arose wordy altercation between both sides, due to which, the petitioners attacked her with hands and also abused her in a filthy language. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioner have not committed any offence as alleged by the prosecution and a false case has been foisted against them. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the



Crl.O.P.No.10618 of 2023

WEB COPY

respondent police submitted that the petitioners picked up wordy quarrel with the defacto complainant and also abused her in a filthy language. He also submitted that no injuries have been caused against the defacto complainant. However, he opposed for grant of anticipatory bail to the petitioners.

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

6. Taking into consideration, the facts and circumstances of the case and also of the fact that no injuries have been caused against the defacto complainant, 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, Palladam** on condition that the petitioners shall execute bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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



CrI.O.P.No.10618 of 2023

further condition that:

WEB COPY

[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 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.

[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.

17.05.2023

msr/mrr



WEB COPY



CrI.O.P.No.10618 of 2023

K.KUMARESH BABU, J.

msr/mrr

CrI.O.P.No.10618 of 2023

17.05.2023