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Crl.O.P.No.11268 of 2023

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K.KUMARESH BABU, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294[b], 323 of IPC 1860 read with Section 4 of Tamilnadu Prohibition of Women Harassment Act in Crime No.1177 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the daughter-in-law of the petitioner and the marriage between his son and the defacto complainant took place on 23.11.2015. The defacto complainant lodged a complaint before the respondent police stating that her husband along with the petitioner had abused the defacto complainant and her family members and attacked them.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the defacto complainant and a false case has been foisted against him. Therefore, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate [Criminal Side] would submit that the petitioner along with his son have abused and attacked the defacto complainant and her mother. He further submitted that investigation has been completed and charge sheet has also been filed before the concerned Magistrate. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also considering the fact that investigation has been completed and charge sheet has also been filed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 VII Metropolitan Magistrate, George Town, Chennai, on condition 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



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

[b] the petitioner shall report before the concerned Court on all hearing dates.

[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 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.

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