



Crl.O.P.No.11450 of 2023

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K.KUMARESH BABU, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC and r/w Section 4 of Tamil Nadu Prohibition of harassment of Women Act, in Crime No.37 of 2023, seek anticipatory bail.

2. The case of the prosecution is that on 30.04.2023, one Stephen lodged a complaint before the respondent Police stating that the petitioners along with some others abused and assaulted the de-facto complainant due to wordy quarrel regarding previous enmity. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners and de-facto complainant are living in same village and



Crl.O.P.No.11450 of 2023

WEB COPY

due to enmity, false complainant was given by the de-facto complainant. The petitioners have not committed any offence. The petitioners are ready to abide by any condition that may be imposed by this Court.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police also opposed for grant of anticipatory bail to the petitioners.

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

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released



Cr1.O.P.No.11450 of 2023

WEB COPY

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, Ariyalur**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with **two sureties** 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. (i.e., on Monday) until further orders.

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



Crl.O.P.No.11450 of 2023

[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.

18.05.2023

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Crl.O.P.No.11450 of 2023

K.KUMARESH BABU, J.,

krk / lok

Crl.O.P.No.11450 of 2023

18.05.2023