

Crl.O.P.No.12058 of 2023

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V.LAKSHMINARAYANAN, J.

The petitioners, who apprehend arrest for the alleged offences under Sections 147, 323, 506(i) of IPC r/w 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Cr.No.169 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, there was a wordy quarrel arose between the petitioners and the defacto complainant. During the said quarrel, the petitioners abused the defacto complainant with filthy language and assaulted her. Due to which, she sustained grievous injuries and admitted in Hospital. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not been committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl.side) would submit that the defacto complainant sustained simple injuries and the injured has been discharged from the hospital.

5. Considering 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.

6.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 of receipt of a copy of this order, before the learned ***District Munsif Cum Judicial Magistrate at Kattumannarkoil***, on condition that the petitioners shall execute a 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



(b) the petitioners shall stay at Madurai and report before the Town Police Station, Madurai daily morning at 10.30 a.m for a period of four (4) weeks and thereafter, the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

(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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

26.05.2023

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To

1. The District Munsif Cum Judicial Magistrate
Kattumannarkoil.
2. The Public Prosecutor
High Court of Madras
Chennai – 600 104.



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