



Crl.OP.No.12682 of 2023

A.D.JAGADISH CHANDIRA, J.

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.156 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Divya is that she is studying III year MSC Nutrition in DKM Women College at Vellore and was having lack of attendance and when she had met the Principal of the College, and he had collected Rs.6000/- as fine instead of Rs.375/- and thereby when she had made a complaint to the Secretary of the College and he had also abused her, threatened her and also snatched her mobile phone. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he is the Correspondent of DKM Women College, Vellore. He further submit that the petitioner has not attended the



College and she was having lack of attendance. Since she was not allowed to appear for the examination, she has given a false complaint against the authorities and attempted to put pressure to sit for the examination. He would further submit that no such incident had happened as alleged by the defacto complainant. He also submit that the petitioner is a Senior Citizen. Thereby, he would seek anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the defacto complainant is studying III year MSC Nutrition in DKM Women College at Vellore and that she was having lack of attendance and when she had met the Principal of the College, and he had collected Rs.6000/- instead of Rs.375/- as fine. Thereby, she had made a complaint to the Secretary of the College and he has also abused her, threatened her and also snatched her mobile phone. Hence, he would vehemently oppose to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on records including the FIR.



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6. Taking into consideration the facts and circumstances of the case, and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 Judicial Magistrate -I, Vellore** 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 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/trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioner shall report before the respondent Police every day at 10.30 a.m., for a period of one week and thereafter on every Saturday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[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] 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, 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 petitioner herein thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

12.06.2023

Vv



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