



Crl.O.P.No.13177 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioners, arrayed as A2 and A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 447, 294(b), 323, 324, 506(ii) and 379 of IPC r/w Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 in Cr.No.326 of 2023, seek anticipatory bail.

2. The case of the prosecution is that on 22.05.2023, the defacto complainant while in his house one Parimala came to the adjacent land and set fire on the waste plants in that plot. Hence, the defacto complainant questioned the same at that time the said Parimala and other accused persons along with petitioners attacked the defacto complainant and his wife and threatened for life, hence, the defacto complainant and his wife sustained injury and they were admitted in the hospital. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the



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petitioners are innocent persons and they have been falsely implicated in this case due to land dispute and previous enmity. He further submitted that the learned Judicial Magistrate, Additional Mahila Court, Thiruvallur has granted bail to A1, A4, A5, A6, A9 and A10 and granted anticipatory bail to some of the accused. Therefore, he prays for grant of bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that due to dispute over the boundary and compound wall, there was wordy quarrel and the petitioners and other accused have attacked the defacto complainant and his wife and caused injuries. Though, the injured got discharged, he vehemently opposed for grant of anticipatory bail to the 1st petitioner/A2.

5.Taking into consideration the facts and submissions of the learned Counsel and also the fact that few accused (A1, A4, A5, A6, A9 and A10) have been enlarged and bail and few other accused have been granted anticipatory bail, this Court is inclined to grant anticipatory bail



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to the petitioners herein, subject to 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 on which the order copy made ready, before the learned **Judicial Magistrate, Additional Mahila Court, Thiruvallur**, on condition that each of the petitioners 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 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 daily at 10.30 a.m., for a period of three weeks and thereafter, as and when**



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required.

[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;

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