



Crl.O.P.No.13477 of 2023

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A.D.JAGADISH CHANDIRA, J.,

The petitioners, who apprehend arrest at the hands of the respondent/ Police for the offences punishable under Sections 147, 294(b), 323, 427, 448, 355, 506(i) IPC r/w Section 4 of TN Prohibition of Harassment of Women Act in Crime No. 289 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant Sekar is that the first petitioner is his daughter-in-law. There was matrimonial dispute with the defacto complainant's son and the first petitioner, during which, the petitioners have trespassed into the house of the defacto complainant, abused and attacked the defacto complainant. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the first petitioner is the daughter-in-law of the defacto complainant. There was a matrimonial dispute between the first petitioner and the defacto complainant's son and during



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which, the first petitioner was called for settlement talk by the defacto complainant and his family members and when the first petitioner had gone to the house of the defacto complainant, the defacto complainant and his family members have abused and assaulted her. But the defacto complainant has filed this complaint as if the petitioners have assaulted and abused him in filthy language. On the complaint given by the petitioners, case in Crime No.290 of 2023 has been registered as against the defacto complainant and his family members and this Court had granted anticipatory bail to them vide order dated 14.06.2023 passed in Crl.O.P.No.12508 of 2023. Hence, he would seek for anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that on account of matrimonial dispute, when the first petitioner along with his family members had gone to the house of her in-laws, the incident had happened. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.



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

6. Taking into consideration 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 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 No.II, Poonamallee** on condition that the each of the petitioners shall execute a separate 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 :



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[a] the petitioners 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;

[b] the petitioners shall report before the respondent Police every day at 10.30 a.m., for a period of two weeks and thereafter every Saturday at 6.30 pm., 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] 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 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;



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[f] if the petitioners herein thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

8. Accordingly, the Criminal Original Petition is ordered.

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