



Crl.O.P.No.14801 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294 (b) & 323 IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002, in Crime No.220 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that the on the basis of the false complaint given by the defacto complainant, FIR in Crime No.220 of 2023, was registered for the offences under Sections 294 (b) & 323 IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002. He further submitted that petitioners have been falsely implicated in this case and prayed for anticipatory bail for the petitioners.

3. In response, the learned Government Advocate (Crl.Side) submitted that there is previous enmity between the petitioners and the defacto complainant in connection with passage and land dispute. He



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further submitted that defacto complainant was injured and treated as out patient.

4.Considering the background under which the incident is said to have happened and that the injured has been treated as out patient, this Court is of the view that custodial interrogation of the petitioners is not necessary. Therefore, this Court is inclined to grant anticipatory bail to the petitioners and petitioners are ordered to be released on bail in the event of their 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, Ranipet**, on condition that petitioners shall execute 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:

[a] the petitioners and the sureties shall affix



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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 once in a week 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 petitioner 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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