



Crl.O.P.No.14692 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294 (b), 323, 427 and 506(ii) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2022, in Crime No.361 of 2023, on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that petitioners are 2nd and 3rd accused in Crime No.361 of 2023, registered for the offences under Sections 294 (b), 323, 427 and 506(ii) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2022. The allegations made against the petitioners are totally false and therefore, this petition is filed.

3. In response, the learned Government Advocate (Criminal side) submitted that, the accused had come to the defacto complainant's shop on 20.06.2023 at about 9.30 p.m. and took some articles from his shop. When they were asked to pay money, they had broken the showcase and also made a death threat. He further submitted that the



first accused was arrested and remanded in jail.

4.In reply, the learned counsel for the petitioners submitted that the first accused was released on bail on 28.06.2023.

5.Considered the rival submissions and perused the records.

6.From the allegations made in the FIR, it is seen that petitioner had only accompanied the first accused and it was the first accused, who caused damage to the showcase and threatened the defacto complainant with knife. The specific allegation against the petitioners is that they tried to attack the defacto complainant with a glass bottle in the shop.

7.Considering the nature of the allegations and the fact that the first accused, who is the main accused, was arrested, the 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 No.I,**



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Ponneri 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 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 everyday at 10.30 a.m., and 5 p.m., until further orders and no petition for relaxing the condition should be filed before the expiry of 30 days.

[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.



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[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.

03.07.2023

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