



Crl.O.P.No.14971 of 2023

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Dr.G.JAYACHANDRAN, J.,

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment Women Act, in Crime No.340 of 2023 before this Court seek anticipatory bail.

2.The case of the prosecution is that on 21.06.2023, the petitioners and their family members had engaged in property dispute with the defacto complainant and his family members, wherein the mother and grandmother of the defacto complainant alleged to have been attacked. Case has been registered against the petitioners for the offences under Sections 294(b), 323, 506(ii) IPC r/w 4 of Tamil Nadu Human Act.

3.The learned counsel appearing for the petitioners submitted that the property dispute is between the neighbours and there was no physical altercation, except verbal abuse.



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4.The learned Government Advocate (Crl.Side) reports that the injured were treated as out patient and discharged on the same day.

5.Considering the above submission, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on anticipatory bail, in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned **District Munsif cum Judicial Magistrate, Cheyyur, Chengalpattu District**, on condition that each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only)each, 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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(b)the petitioners shall appear before the Investigation Officer as and when required for interrogation.

(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 themselves 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 accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

06.07.2023

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