



Crl.O.P.No.15193 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 324, 506(2) of IPC and Section 4 of TN Prohibition of Women Harassment Act, 2002 354, 452, 324 and 506(i) of IPC in Crime No.192 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. It is the submission of the learned counsel for the petitioner that, petitioner is falsely implicated in a case registered for the offence under Sections 294(b), 323, 324, 506(2) of IPC and Section 4 of TN Prohibition of Women Harassment Act, 2002 354, 452, 324 and 506(i) of IPC in Crime No.192 of 2023. Apprehending arrest, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, there is a dispute between the defacto complainant and the petitioner in connection with sewage overflowing. On 26.06.2023, sewage had overflowed to the house of the defacto complainant and therefore, defacto complainant and her husband locked the flow with the



Crl.O.P.No.15193 of 2023

soil. Enraged at this, accused had abused in filthy language and also attacked the defacto complainant with iron rod. As a result, defacto complainant sustained injuries. She was treated in the hospital and discharged.

4. Considering the nature, facts and circumstances of the case and that the injured victim has been discharged from the hospital and that the material part of the investigation might have been over by this time, this Court inclined to grant anticipatory bail to the petitioner for the reason that, custodial interrogation of the petitioner is not necessary in this case.

5. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate II, Panruti**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction



Crl.O.P.No.15193 of 2023

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 petitioner 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 petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner 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



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Crl.O.P.No.15193 of 2023

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.

12.07.2023

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Crl.O.P.No.15193 of 2023

G.CHANDRASEKHARAN. J.

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Crl.O.P.No.15193 of 2023

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