



Crl.O.P.No.16694 of 2023

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RMT.TEEKAA RAMAN.J.,

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 324, 427 of I.P.C r/w 4 of Tamil Nadu Women Harassment Act in Crime No.244 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is having 2 brothers. The defacto complainant's first brother entered into the house of one Saranya with his wife and two sons and made a quarrel with her and asked her to vacate the house. They started to harass her and the same was questioned by the defacto complainant and they attacked him by using iron rod and threatened him by using filthy language and sustained injury. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that they are innocent of the offence and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.



CrI.O.P.No.16694 of 2023

4.The learned Additional Public Prosecutor submitted that the injured person has discharged from the hospital and the investigation is almost completed. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.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 District Munsif Cum Judicial Magistrate, Gummidipoondi**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.5,000/- (Rupees Five 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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CrI.O.P.No.16694 of 2023

(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;

(b) the petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of four weeks and thereafter appear before the trial Court on all hearing dates without fail.

(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 himself 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.

10.08.2023

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3/4



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CrI.O.P.No.16694 of 2023

RMT.TEEKAA RAMAN,J.,

nvi

CrI.O.P.No.16694 of 2023

10.08.2023