



Crl.O.P.No.16868 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294 (b), 323, 506 (1) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002, in Crime No.90 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.Learned counsel for the petitioner submitted that petitioner is an innocent person and he has been falsely implicated in this case. Thus, he prays for anticipatory bail for the petitioner.

3.In response, the learned Government Advocate (Crl.Side) submitted that on 11.07.2023, at about 9.00 p.m., when the defacto complainant was standing in the road, accused had ridden the two wheeler in a rash and negligent manner as if he was going to hit her. When the defacto complainant told him to ride slowly, he scolded her in filthy language and slapped in her cheek and pushed her in road by pulling her Saree. He also abused and made criminal intimidation against



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her. Thus, he prayed for dismissal of this petition.

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4.Considering the nature of the offence alleged against the petitioner and that the injured was treated and discharged from the hospital, this Court is of the view that custodial interrogation of the petitioner is not necessary and this Court is inclined to grant anticipatory bail to the petitioner. Therefore, the 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 Court Alandhur – II**, 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 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



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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 morning at 10.30 a.m., and evening at 5.00 p.m. until further orders. No petition for relaxation of condition should be filed before the expiry of 30 days.

[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 in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh



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FIR can be registered under Section 229A IPC.

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