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Crl.O.P.No.16938 of 2023

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G.CHANDRASEKHARAN, J.

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the alleged offences under **Sections 294(b), 323, 324, 506(ii) of IPC read with Section 4 of TN Prohibition of Harassment of Women Act 2002 in Crime No.100 of 2023** on the file of the respondent police, seek anticipatory bail.

2. It is submitted by the learned counsel for the petitioners that petitioners are falsely implicated in this case. There is no specific allegations made against the petitioners. Now, it is informed that 1st petitioner/A1 was arrested and remanded to judicial custody.

3. In response, learned Government Advocate (Crl.side) submitted that, on 03.07.2023, at about 08.30 p.m., when *de-facto* complainant visited her paternal uncle Viz., Suresh/A1's house, he was eating. On seeing her, he threw the plate and scolded her in filthy language. He also behaved in an indecent manner by



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removing his vesti. Later, *de-facto* complainant consumed lizol cleaner and she was treated.

4. It is seen from the FIR allegations that there is no specific allegations made against the 2nd petitioner/A2. 1st petitioner was arrested and remanded to judicial custody.

5. In the said circumstances, this Court is inclined to grant anticipatory bail to the 2nd petitioner alone with conditions. As far as the 1st petitioner is concerned, this Criminal Original Petition is dismissed.

6. Accordingly, 2nd petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned II Metropolitan Magistrate Court Egmore-Chennai**, on condition that the 2nd 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



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petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the 2nd 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 2nd petitioner shall report before the respondent police as and when required for interrogation;

[c] the 2nd petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the 2nd 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 2nd petitioner in accordance with law as if the conditions have been imposed and the 2nd 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].



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mpl

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

02.08.2023

mpl

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