



Crl.O.P.No.19524 of 2023

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G. CHANDRASEKHARAN, J.,

The petitioner namely Raghunathan, who apprehends arrest at the hands of the respondent police for the offences under Sections 147, 148, 447, 354, 341, 324, 323, 427, 506 (2) I.P.C and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.115 of 2023 on the file of the respondent police seeks anticipatory bail.

2.The learned counsel for the petitioner submitted that petitioner is falsely implicated as accused in Cr.No.115 of 2023 for the offences under Sections 147, 148, 447, 354, 341, 324, 323, 427, 506 (2) I.P.C and Section 4 of TN Prohibition of Harassment of Women Act, 2002. Co-accused had been granted anticipatory bail. Petitioner is innocent. Thus, he prayed for grant of anticipatory bail.

3.In reply, the learned Additional Public Prosecutor submitted that there is previous enmity between the accused and defacto complainant's family in connection with fencing their properties. On



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04.06.2023 at about 04.00 p.m., defacto-complainant and one Chitradevi sat in front of their house. The accused came there and starting beating them. Accused Jegadish had held the defacto-complainant with hands and accused Jegadish, Yuvaraj, Ragunandhan had squeezed the breast of the defactocomplainant. They have also beaten her. Accused had also beaten her with coconut bunch. Chitra was also beaten by the accused and they damaged the properties. When Sivakumar, husband of Chitra, tried to interfere, he was also attacked by the accused. Defacto-complainant's father-in-law Balasubramani was also attacked by the accused Hence, he opposed for grant of bail to the petitioner.

4. Considered the rival submissions and perused the records.

5. This is the second anticipatory bail petition. The earlier anticipatory bail petition filed by the petitioner in CrI.O.P.No.16100 of 2023 was dismissed on 24.07.2023. Despite the dismissal of the first anticipatory bail petition, the respondent police had not taken any steps to arrest the petitioner. It is also submitted that the co-accused has also been



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granted anticipatory bail by this Court. Therefore, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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, Dharapuram** 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 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 daily at 10.30.a.m., until further orders

[c] the petitioner shall not abscond either during investigation or trial.



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[d] the petitioner shall not tamper with evidence or witness 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 FIR can be registered under Section 229A IPC.

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