



Crl.O.P.No.22154 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.268 of 2023 registered by the respondent Police for the offences under Sections 294(b), 509, 352, 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act.

2.The learned counsel for the petitioners stated that they have been falsely implicated as accused in this case. Apprehending arrest from the respondent police, he seeks bail to the petitioners.

3.The learned Government Advocate (Criminal side) stated that the defacto complainant had alleged that the petitioners tried to assault her. The 1st petitioner is her husband and the 2nd and 3rd petitioners are her in-laws.



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4. On considering the nature of allegations, this Court had directed that the respondent police should issue notice under Section 41A Cr.P.C and take steps to return back all the 'seethana' articles which had been handed over by the defacto complainant.

5. The learned counsel for the petitioners stated that the said articles had been handed over on 08.09.2023 itself. This is confirmed by the learned Government Advocate (Criminal side) stating that the properties had been returned back even before the filing of the anticipatory bail petition, but stated that the defacto complainant had given yet another list of properties to be returned, which primarily includes a few jewels and utensils. The learned counsel for the petitioners stated that to the extent possible all the jewels and other articles had been returned.

6. These are the issues which will have to be examined during the course of trial. Since bonafide had been exhibited by the petitioners, I am inclined to grant anticipatory bail to the petitioners with certain conditions.



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7. 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 Judicial Magistrate, Thiruthuraipoondi**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten 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 petitioners 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] (i) the 1st and 2nd petitioners shall report before the respondent Police, everyday at 10.00 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

(ii) the 3rd petitioner shall report before the respondent police once in a week at 10.00 a.m., for a period of two weeks and thereafter, as and when required for interrogation.



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[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]**;

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

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