



Crl.O.P.No.22468 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 341, 294(b), 323, 324, 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.321 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. It is the submission of the learned counsel for the petitioner that the petitioner has been falsely implicated as 2nd accused in Crime No.321 of 2023 registered for the offences under Sections 341, 294(b), 323, 324, 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act. Thus, he prays for grant of anticipatory bail to the petitioner.

3. In response, learned Government Advocate (Criminal side) submitted that the petitioner herein is the driver cum owner of the OLA cab vehicle. It is stated that the 1st accused had relationship with the defacto complainant and due to a strain in that relationship, A1 engaged the present petitioner/A2 to go to the house of the defacto complainant and abuse the



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defacto complainant and her mother using filthy language. It is stated that the 1st accused was arrested and released on bail. However, this petition may be dismissed.

4. Taking into consideration the overact against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, 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 XVIII Metropolitan Magistrate, Saidapet, Chennai** on condition that the petitioner shall execute a 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the



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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 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 FIR can be registered under Section 229A IPC;

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