



Crl.O.P.No.22787 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.248 of 2023 registered by the respondent Police for the offence under Sections 294(b), 323, 324 and 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2. The learned counsel for the petitioners stated that, they have been falsely implicated as 1st and 3rd accused in this case. Apprehending arrest from the respondent police, he seeks bail to the petitioners.

3. It is stated by the learned Government Advocate (Criminal side) that, on 17.08.2023, petitioners and another accused had robbed the cellphone of the defacto complainant and threatened her. When it was questioned by the defacto complainant, she was assaulted by the petitioners herein. It is further stated that, there are three previous cases pending against 1st petitioner and one previous case pending against the 2nd petitioner. Injured had been discharged from the hospital. Thus, he prays for dismissal of this petition.



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4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 No.2, Tiruvallur**, 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.



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[b] the petitioners must deposit a sum of Rs.10,000/- each before the concerned Judicial Magistrate to the credit of the Crime No.248 of 2023. On such deposit, the learned Judicial Magistrate may handover that money to the defacto complainant.

[c] the petitioners shall report before the respondent Police, daily at 10.30 a.m., and 5.30 p.m., until further orders;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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]**;

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

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