



Crl.O.P.No.22995 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.460 of 2023 registered by the respondent Police for the offence under Sections 294(b), 506(ii) of IPC r/w Section 4 of Tamilnadu Prohibition of Women Harassment Act.

2.It is stated that the petitioner, in a drunken mode, picked up a quarrel with the neighbour.

3.It is stated by the learned Government Advocate that there are 11 previous cases pending against the petitioner and he is a history sheeted rowdy.

4.All these facts will have to be examined independently. The occurrence was on 13.09.2023 and the respondent did not take the petitioner into the custody and the petition for anticipatory bail was filed only on 03.10.2023, which means the respondent had clear 15 days to secure the petitioner herein.

5.Considering all these aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. 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 District Munsif cum Judicial Magistrate, Gummidipoondi, 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 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 twice at 10.00 a.m and 5.00 p.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;



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[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;

09.10.2023

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