



Crl.O.P.No.28463 of 2022

WEB COPY

Crl.O.P.No.28463 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 323, 324 of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.257 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to the civil dispute, the accused picked up a quarrel with the *de-facto* complainant and during which, he assaulted the de-facto complainant with wood and lock. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and due to previous enmity, the de-facto complainant has lodged a false complaint against him. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.28463 of 2022

WEB COPY

4. Learned Government Advocate (Crl.Side) submitted that due to civil dispute, there was a wordy quarrel between the petitioner and the defacto complainant, during which, the petitioner assaulted the de-facto complainant with wood and lock, due to which, he sustained simple injury. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel and also considering the fact that the injury sustained by the de-facto complainant is simple in nature, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Judicial Magistrate, Cheyyur on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two



CrI.O.P.No.28463 of 2022

WEB COPY

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 appear before the respondent Police on every Sunday at 10.30 a.m., for a period of six weeks and thereafter, as and when required for interrogation;

[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



WEB COPY



Crl.O.P.No.28463 of 2022

T.V.THAMILSELVI, J.

ham

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;

06.01.2023

ham

Crl.O.P.No.28463 of 2022