



WEB COPY



Crl.O.P.No.23435 of 2023

Crl.O.P.No.23435 of 2023

C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.558 of 2023 registered by the respondent Police for the offences under Sections 294(b), 324, 427, 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.

2. The learned counsel for the petitioners stated that the petitioners are innocent persons and they have been falsely implicated in a case in Crime No.558 of 2023 registered by the respondent Police for the offences under Sections 294(b), 324, 427, 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act. Thus, he seeks anticipatory bail to the petitioners.

3. The learned Government Advocate (Criminal side) stated that the petitioners are having tea shops in a temple property. The revenue department officials came to evict them. The petitioners were under impression that it was so done, owing to the complaint given by the husband



Crl.O.P.No.23435 of 2023

of the defacto complainant. Therefore, they attacked the husband of the defacto complainant. It is stated that the husband of the defacto complainant also has a tea shop.

4. Taking all the factors into consideration, I am 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 Additional Mahila Magistrate, Chengalpattu**, 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.



Crl.O.P.No.23435 of 2023

[b] (i) the 1st and 3rd petitioners shall report before the respondent police everyday at 10.00.a.m., for a period of three weeks and thereafter, as and when required for interrogation.

(ii) the 2nd petitioner shall report before the respondent police once a week at 10.00.a.m., for a period of three weeks and thereafter, as and when required for interrogation.

[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;

03.11.2023

gd



WEB COPY



Crl.O.P.No.23435 of 2023

C.V.KARTHIKEYAN, J.

gd

Crl.O.P.No.23435 of 2023

03.11.2023