



Crl.O.P.No.23924 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner herein seeks anticipatory bail in Crime No.209 of 2023 registered by the respondent Police for the offence under Sections 120(B), 354D and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2. The learned counsel for the petitioner stated that he has been falsely implicated as an accused in this case. He is innocent. Thus, he seeks bail to the petitioner.

3. The learned Government Advocate (Criminal side) states that the defacto complainant is the wife of the petitioner. They had married in the year 2015. Due to difference of opinion, they had separated. There are several ligations pending between the petitioner and the defacto complainant. It is stated that the petitioner had engaged A2 and A3 to follow the defacto complainant to gather information, as to where she goes and also to take photographs. A2 and A3 were arrested and released on bail. The mobile phone was recovered. However, he prays for dismissal of this petition.



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4. Taking into consideration the facts and circumstances, 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 Additional Mahila Court, Coimbatore**, 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.



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[b] the petitioner shall report before the respondent Police, daily at 10.00 a.m., until further orders. If the petitioner does not co-operate with the investigation, either the defacto complainant or the respondent are at liberty to file cancellation of anticipatory bail.

[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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