



Crl.O.P.No.24303 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 323 and 324 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.99 of 2023, seek anticipatory bail.

2.The learned counsel for the petitioners stated that the petitioners are innocent persons and they have been falsely implicated in this case. Thus, he prays for grant of anticipatory bail to the petitioners.

3.The learned Government Advocate (Crl.Side) stated that the first petitioner and the defacto complainant are husband and wife. She had given a complaint stating that the accused persons had harassed her and committed the offences mentioned. Thus, he prayed for dismissal of this petition.

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



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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 **Judicial Magistrate No.3, Cuddalore**, 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.

[b] (i) the first and fourth petitioners shall report before the respondent police daily morning at 10.00 a.m., for a period of two weeks and thereafter as and when required for interrogation.



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[b](ii) the second and third petitioners shall report before the respondent police once in a week, i.e., every Monday at 10.30 a.m., for a period of two 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.

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