



Crl.O.P.No.24983 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A2, who apprehends arrest for the alleged offences punishable under Sections 294 (b), 323, 341, 506 (i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.209 of 2023, on the file of the respondent police, seeks anticipatory bail.

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

3. It is the case of the prosecution that A1 suspected that her husband had illicit relationship with the defacto complainant and thereafter along with A2 and A3, had assaulted the defacto complainant necessitating lodging of the complaint and registration of FIR.

4. Taking into consideration that the entire issue of quarrel is with respect to the relationship between the parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.24983 of 2023

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 District Munsif cum Judicial Magistrate, Nannilam**, 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 morning at 10.00 a.m., for a period of two weeks and thereafter, as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;



Crl.O.P.No.24983 of 2023

[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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CrI.O.P.No.24983 of 2023

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