



Crl.O.P.No.24894 of 2023

Crl.O.P.No.24894 of 2023

WEB COPY

R.KALAIMATHI, J.

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 323, 324, 354 of IPC read with Section 4 of Women Harassment Act, in Crime No.683 of 2023, on the file of the respondent police, seek anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that, petitioners are innocent and they are falsely implicated in this case. It is a case and case in counter. Apprehending arrest in Crime No.683 of 2023 registered for the offence under Sections 323, 324, 354 of IPC read with Section 4 of Women Harassment Act, this petition is filed.

3. In response, learned Government Advocate (Crl.side) submitted that the *de-facto* complainant and the petitioners herein are relatives. Due to a land dispute, the petitioners herein have trespassed into the *de-facto* complainant's house and they verbally abused and misbehaved with the *de-facto* complainant. They have



CrI.O.P.No.24894 of 2023

also assaulted her family members with knife and threatened them with dire consequences. The injured were admitted and later discharged from the hospital on 28.08.2023. Hence, he opposed for grant of anticipatory bail to the petitioners.

4. Heard both sides and perused the materials available on record.

5. Considering the facts and circumstances of this case and also the fact that injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.II, at Poonamalle**, on condition that petitioners shall execute separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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



Crl.O.P.No.24894 of 2023

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] the petitioners shall report before the respondent police everyday at 10.00 a.m., until further orders.

[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 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



WEB COPY



CrI.O.P.No.24894 of 2023

5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

26.10.2023

mpl/Jeni



WEB COPY



CrI.O.P.No.24894 of 2023

R.KALAIMATHI, J.

mpl/Jeni

CrI.O.P.No.24894 of 2023

26.10.2023