



Crl.O.P.No.24934 of 2023

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R.KALAIMATHI, J.

The petitioners/A2 and A3, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, 354 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act 2002, in Crime No.415 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. Apprehending arrest in Crime No.415 of 2023 registered for the offence under Sections 294(b), 323, 354 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act 2002, this petition is filed.

3. In response, learned Government Advocate (Crl.side) submitted that 1st petitioner is the Executive Member of IELC (India Evanelical Lutheran Church) and 2nd petitioner is the Secretary of the above said IELC. *De-facto* complainant is working as a Head Master of Concordia Higher Secondary School, Burgur. During the



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enquiry committee meeting that was held on 09.10.2023, the petitioners herein are alleged to have abused the *de-facto* complainant in filthy language and attempted to outrage her modesty. 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, 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 Addl. D.M. cum J.M. Ambur**, 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



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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 every Tuesday and Friday 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



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

26.10.2023

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26.10.2023