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Crl.O.P.No.25177 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 354 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.6 of 2023, seeks anticipatory bail.

2. The learned counsel for the petitioner stated that the petitioner is an innocent person and he has not committed any offence as alleged by the respondent. Hence, he prays for grant of anticipatory bail.

3. It is stated by the learned Government Advocate (Criminal Side) that the petitioner and the defacto complainant had taken a decision to marry and it was also been accepted by the respective families. Engagement was also conducted. They went to marriage hall to see the place. Thereafter, the defacto complainant had lodged a complaint alleging that the petitioner has committed the offences stated.



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4. In view of the facts stated, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions. 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 Additional Mahila Magistrate, Egmore**, 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 appear before the respondent police daily at 10.30 a.m., until further orders.

[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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