



Crl.O.P.No.25889 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.200 of 2023 registered by the respondent Police for the offences under Sections 323, 379 IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.

2.The learned counsel for the petitioners stated that they have been falsely implicated as accused in this case. Apprehending arrest from the respondent police, he seeks bail to the petitioners.

3.The learned Government Advocate (Criminal side) stated that on 17.07.2023, the 1st petitioner who is the husband of the defacto complainant had taken away gold bangle and chain belonged to her.



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4.In reply, the learned counsel for the petitioners denied this fact. He further stated that to express their bonafide, a memo has been filed stating that petitioners are prepared to deposit Rs.50,000/- to the credit of Crime No.200 of 2023 before the learned Judicial Magistrate, Sriperumbudur.

5.In view of that particular offer made, anticipatory bail is granted to the petitioners with certain conditions.

6.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 **learned Judicial Magistrate, Sriperumbudur**, 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:



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[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 jointly deposit a sum of Rs.50,000/- to the credit of Crime No.200 of 2023 before the learned Judicial Magistrate, Sriperumbudur and the learned Magistrate may transfer the amount to any interest bearing deposit and pass final orders on conclusion of trial. If the accused are acquitted the amount together with interest may be handed over to them. If the accused are convicted, the amount together with interest may be handed over to the defacto complainant. Payment of this amount will not amount to admission of guilt of the petitioners.

[c] (i) the 1st petitioner shall report before the respondent Police, everyday at 10.00 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

(ii) the 2nd petitioner shall report before the respondent police, once in a week at 10.00 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;



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[e] the petitioners shall not abscond either during investigation or trial;

[f] 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]**;

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

17.11.2023

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