



Crl.OP.No.26187 of 2023

Crl.OP.No.26187 of 2023

C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 341, 323 & 506 (i) IPC r/w Section 4 of TN prohibition of Harassment of Women Act, 2002, in Crime No.280 of 2023, on the file of the respondent police seeks anticipatory bail.

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

3.It is stated by the learned Government Advocate (Crl.Side) that the defacto complainant was talking on her mobile phone regarding jewellery that had been stolen from her. The petitioner was standing near her and thought that he was the subject matter of the conversation. This escalated into violence leading to registration of FIR. It is also stated that there is one previous case against the petitioner.



CrI.OP.No.26187 of 2023

4.Taking into consideration the facts and circumstances of the

case, this Court is inclined to grant anticipatory bail to the petitioner.

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 **Judicial Magistrate - II, Krishnagiri**, 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 at 10.00 a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.



Crl.OP.No.26187 of 2023

[d] the petitioner shall not tamper with evidence or witness 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.

17.11.2023

sli



WEB COPY



Crl.OP.No.26187 of 2023

C.V.KARTHIKEYAN, J.

sli

Crl.O.P.No.26187 of 2023

17.11.2023