



Crl.O.P.No.26391 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehend arrest for the alleged offences punishable under Sections 294 (b), 323 and 506 (ii) IPC r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.573 of 2023, on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) on behalf of the respondent.

3It is stated that the defacto complainant and her husband were driving a Maruti Celerio Car. They had hit the first petitioner, who was driving the two wheeler along with his wife/second petitioner, who was also injured due to the accident. This led to a quarrel, which escalated to lodging of complainant and registration of FIR.

4.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of



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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.I, Villupuram**, 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:

[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 first petitioner shall report before the respondent everyday at 10.00 a.m., for a period of one week and thereafter as and when required. The second petitioner to appear once before the respondent police and thereafter as and when required.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[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 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]**.

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

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