



Crl.O.P.No.32185 of 2022

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence punishable under Sections 294(b), 323, 324, 417 and 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No. Not Known of 2022, subsequently, F.I.R., has been registered under Sections 294(b), 324, 506(ii) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act altered to Sections 294(b), 324, 506(ii) and Section 307 of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No.509 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 19.12.2022 petitioners were riding their bike in a rash manner and the same was questioned by the defacto complainant, due to which wordy quarrel arose between them and the petitioners used filthy language and harassed the complainant. Hence the complaint.



3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution. However, on instructions, he further submits that the petitioners, without prejudice to their rights, is ready to abide any condition imposed by this Honourable court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that due to wordy quarrel the petitioners abused the defacto complainant in filthy language, harassed the her and she sustained head injury. The defacto complainant was treated with 18 stitches. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.



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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the **Judicial Magistrate, Gudiyatham** on condition that each of the petitioners 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 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 are directed to report before the respondent police as and when required for interrogation.

[c] each of the petitioners are directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of Crime No.509 of 2022 within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below. On such deposit, the



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victim is permitted to withdraw amount deposited by the petitioners.

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

[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.

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