



Crl.OP.No.27464 of 2023

Crl.O.P.No.27464 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner seeks anticipatory bail in Crime No.318 of 2023 registered by the respondent police for the offences punishable under Sections 294(b), 323, 448 and 506(ii) of IPC r/w Section 4 of Tamilnadu Prevention of Women Harassment Act with respect to an occurrence which took place on 07.11.2023.

2. It is stated by the learned counsel that the complaint however was given only on 23.11.2023. It is stated by the respondent police that the petitioner and the defacto complainant are neighbours and they had on going civil dispute which escalated into violence.

3. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



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4. 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 *learned Judicial Magistrate-II, Jayamkondam* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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 everyday at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.



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[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.

5. Memo filed by the learned counsel for the petitioner dated 08.12.2023 is taken on record.

08.12.2023

Vv

Note: Registry is directed to carry out the necessary correction in the cause title

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