



Crl.OP.No.28206 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A4 in Crime No.404 of 2023, registered under Sections 294(b), 323, 324, 341, 379 and 427 IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondents.

3.It is the case of the prosecution that the accused, were of the impression that the de facto complainant had informed to the authorities that the accused were committing sand theft. This was retained as a motive and when the de facto complainant and his wife was travelling by Car, it is stated that the accused had broken the windshield and taken away a chain. It is stated by the leaned counsel that A1 had been granted bail. Taking all the factors into consideration, anticipatory bail is granted. However, directing the petitioner to deposit a sum of Rs.10,000/- to the credit of Crime No.404 of 2023 and on such deposit, the Presiding Officer, Additional Mahila Court at Thiruvallur may hand over the said amount to the de facto complainant.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.OP.No.28206 of 2023

5. Accordingly, the petitioner/A4 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 **Additional Mahila Court, Thiruvallur**, 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/A4 **to appear before the respondent police every day at 10.30 a.m.**, until further orders.

Additionally, the **petitioner/A4** is directed **to deposit a sum of Rs.10,000/- to the credit of Crime No.404 of 2023** and on such deposit, **the Presiding Officer, Additional Mahila Court at Thiruvallur, may hand over the said amount to the de facto complainant.**

[c] the petitioner shall not tamper with evidence or



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Crl.OP.No.28206 of 2023

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 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;

18.12.2023

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