



CrI.O.P.No.28690 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioners seek anticipatory bail in Crime No.976 of 2023 registered by the Respondent Police for the offences under Sections 448, 294(b), 323 and 506(i) IPC read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2. It is stated by the learned Government Advocate (Criminal Side) that the Petitioners herein are brothers. They have been arrayed as Accused A2, A3 and A4 in this case. The defacto complainant is the daughter in law of the Accused A4.

3. It is the contention of the learned counsel for the Petitioners that the son of the Accused A4 and daughter in law of the Accused A4 had a quarrel with the Accused A4. This had escalated. Hence, this case.

4. It has been stated that a complaint had also been given in this regard. Subsequently, a false complaint had been given by the defacto complainant.



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5. It is however stated by the learned Government Advocate (Criminal Side) that the defacto complainant had alleged that all the Accused persons had assaulted her.

6. Taking all the factors into consideration and the age of the Petitioners herein, this Court is inclined to grant anticipatory bail to the Petitioners with certain conditions. Accordingly, the Petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the District Munsif cum Judicial Magistrate Court, Gummidipoondi**, 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



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pass Book to ensure their identity.

[b] the petitioners shall report before the Respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for the interrogation.

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

[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.

22.12.2023

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