



Crl.OP.No1957 and 2309 of 2024

Crl.O.P.No1957 and 2309 of 2024

C.V.KARTHIKEYAN,J.

The petitioner/A1 has filed Crl.OP.No.1957 of 2024 and the petitioners/A3 and A4 have filed Crl.OP.No.2309 of 2024, both in Cr.No.16 of 2024 registered by the respondent police for the offences punishable under Sections 147, 452, 323, 324, 427, 109 and 506(ii) IPC r/w Section 4 of Tamil Nadu Harassment of Women Act, 1998 with respect to an occurrence which took place on 24.01.2024 seek anticipatory bail .

2. There are two victims and both are sisters. Quite interestingly, the defacto complainants and the petitioners herein belong to the same political party. Had they only introspected, the entire issue would not have come to this level. It is stated that on a particular occasion, responsibilities was caused on the defacto complainants to arrange good attendance for a meeting which was to be attended by the Hon'ble Prime Minister. It appears there was some lacuna in such arrangements. This had led to further tension within the party members.

3. It is stated that A2 who had been arrested and had been



Crl.OP.No1957 and 2309 of 2024

subsequently granted bail and A3 and A4 who are his wife and sister-in-law and several others had gone over to the house of the defacto complainant over that particular issue. A quarrel arose which escalated into violence leading to lodging of complaint and registration of an F.I.R.

4. Learned counsel for the petitioners stated that the petitioner/A1 was not at all at the scene of occurrence. But, however it is the contention of the learned Government Counsel (Crl.Side) appearing for the respondent police that it is under the instigation of A1 that the other accused went over to the house of the defacto complainants. Even then, those who went over to the house should have erred on the side of caution and should have exercised restraint in the entire issue since, they are engaged in a discussion with those who have similar views as they have. But unfortunately, they have permitted the entire escalate over and now they are before this Court seeking relief.

5. Let me not fan the flame any further, but, attempt to dowse the



flame. Therefore, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6. 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 *learned Metropolitan Magistrate-IX, Saidapet, Chennai* on condition that each of the petitioners shall execute separate bonds 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 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 shall report before the respondent police



Crl.OP.No1957 and 2309 of 2024

everyday at 10.30 a.m., for a period of 10 days and thereafter as and when required for 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.

7. It is made clear that if again notices are issued and any of the accused do not appear, the respondent police would have liberty to file an



Crl.OP.No1957 and 2309 of 2024

application seeking cancellation of this order.
WEB COPY

8. With the above directions, these Criminal Original Petitions are ordered.

07.02.2024

Vv

C.V.KARTHIKEYAN,J.



WEB COPY



Crl.OP.No1957 and 2309 of 2024

Vv

Crl.O.P.No1957 and 2309 of 2024

07.02.2024