



Crl.O.P.No.2401 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A2 seeks anticipatory bail in Crime No.574 of 2023 registered by the respondent Police for the offences punishable under Sections 294(b), 323, 324 and 379 of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act.

2. It is stated that the defacto complainant is staying in the first floor and the accused is staying in the ground floor. There were disputes over parking of vehicles. It is also stated that the accused had hit the defacto complainant on his forehead causing cut injury.

3.It is also stated that a 3 and 1/2 sovereigns of gold chain had been stolen. For good measure, this petitioner/accused herein also filed a complaint against the defacto complainant which has been registered as FIR in crime No.575 of 2023. There is also the first accused, who is the husband of the present petitioner who had been arrested and had been granted bail.

4.A perusal of the records shows that the defacto complainant had represented before this Court on 28.02.2024 and again on 21.03.2024 stating that he would bring up an application called an intervening application to seek to be heard before grant of anticipatory bail. The petition has not been brought up.



CrI.O.P.No.2401 of 2024

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5. However, taking all the other factors into consideration, since A1 had been arrested and had been granted bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is 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 XV Metropolitan Magistrate, George Town**, 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 weekly once i.e., every Saturday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for



Crl.O.P.No.2401 of 2024

interrogation.

[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 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.

25.03.2024

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CrI.O.P.No.2401 of 2024

C.V.KARTHIKEYAN, J.

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CrI.O.P.No.2401 of 2024

25.03.2024