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Crl.O.P.No.3551 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner / A1 who apprehends arrest at the hands of the respondent police for the offences punishable under Section 294(b), 448, 324, 506(ii) of IPC and Section 4 of Prohibition of Harassment of Women Act, 2002 in Crime No.731 of 2023, seeks anticipatory bail.

2.It is stated that on 12.11.2023 due to previous enmity, the petitioner along with other accused entered into the house of the defacto complainant and abused her with filthy words and threatened her.

3.Earlier petition seeking anticipatory bail was dismissed on 18.01.2024 in Crl.O.P.No.418 of 2024. The investigation has been proceeded to substantial extent.

4.Taking all the factors into consideration, I am inclined to grant anticipatory bail to the petitioner with certain conditions:

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5. 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 Judicial Magistrate, Gummidipoondi, Thiruvallur District, 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 shall report before the respondent police everyday at 10.30 a.m., until further orders.

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



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[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.

22.04.2024

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