



Crl.O.P.No.7284 of 2024

T.V.THAMILSELVI, J.

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The petitioners, who apprehend arrest for the alleged offences punishable under Sections 294(b), 323, 506(i) of IPC and Under Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.124 of 2024 on the file of the respondent/police, seek anticipatory bail.

2.It is the case of the prosecution that on 09.03.2024 at 02.30 p.m. when the defacto complainant was standing outside the All Women Police Station after attending enquiry on her elder sister's family issues, one Janakiram the father-in-law of the defacto complainant's elder sister came along with A1 and the petitioners herein and abused her in filthy language, threatened and assaulted her with dire consequences. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not been committed any offence and a false case has been foisted against them without any materials or basis. They are no way connected with the alleged offence. They are law abiding citizen and they are ready and willing to abide by any conditions imposed by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl. Side) submitted that the petitioners are habitual offenders and hence he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the petitioners are directed 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 X Metropolitan Magistrate Court, Egmore, Chennai – 600 008**, on condition that the petitioners 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 the petitioners, 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall appear before the respondent police as and when required;

(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 Judge himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;*

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

17.04.2024

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