



Crl.O.P.No.8195 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 506(1) of IPC r/w 4 of Tamilnadu Prohibition of Harassment of Women Act in Crime No.219 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 24.02.2024 at about 6.00 p.m, the defacto complainant went to the petitioners house to collect loan dues. At that time, the defacto complainant demanded 2nd petitioner to settle the dues, while being so, the 1st petitioner returned to his home, the defacto complainant demanded to settle her dues, for which, the defacto complainant was abused verbally by the petitioners. Further, the petitioners attacked the defacto complainant with wooden rod and sickle. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case. He further submits that there was a money dispute between the petitioners and the defacto



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complainant for which, the wordy quarrel aroused between them. He further submits that the petitioners have already settled the loan amount with interest to the defacto complainant and now the petitioners have been tortured for the exorbitant interest by the defacto complainant. Therefore, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there was a wordy quarrel between the petitioners and the defacto complainant for the borrowed loan amount, for which, the petitioners attacked the defacto complainant with wooden log and sickle and also threatened him with dire consequences. He further submits that the petitioners has no previous case pending against them. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5.Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Sriperumbudur*, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 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 report before the respondent police on every Wednesday at 10.30 a.m., for a period of eight weeks;

[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



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action against the petitioner in accordance with law as if the conditions has been imposed and the petitioner is 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]***; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

03.04.2024

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