



Crl.O.P.No.8903 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), 355, 506(i), 509 IPC r/w Section 4 of TN Prohibition of Harassment of Women Act, 2002, in Crime No.79 of 2024, seek anticipatory bail.

2. The case of the prosecution is that on 23.12.2023 at about 8.00 p.m, when the defacto complainant's husband was returning home from duty, the first petitioner have split on the head of the defacto complainant's husband, due to which wordy quarrel aroused and the petitioner along with other accused abused and threatened the defacto complainant. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the defacto complainant's husband is working in the police department and he abused the petitioner's sister, based on which a false complaint has been given by the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that this is a case and case in counter. He further submits the petitioners are neighbours and close relatives. He further submits due to wordy quarrel, the petitioner along with other accused attacked the defacto complainant. 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 counsels, this Court is inclined to grant anticipatory bail to the petitioners.

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 II Metropolitan Magistrate, Egmore, Chennai*, 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:



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(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 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 has been imposed and the petitioners are released on bail by the learned Magistrate/Trial Court himself as laid own by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;



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

12.04.2024

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