



Crl.O.P.No.10814 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 323 and 506(ii) of IPC and Section 4 of Women Harassment Act, 2002 in Crime No.102 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are neighbours. It is alleged that the petitioner made a love proposal to the defacto complainant, but she refused the same, due to that vengeance, the petitioner slapped the defacto complainant and pushed her down. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that due to the compulsion of the defacto



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complainant's parents, she lodged a complaint against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that it is a case and case in counter. He further submits that both the petitioner and the defacto complainant are minors and due to a wordy quarrel, regarding love proposal, a complaint has been lodged by the defacto complainant. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

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

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned XIV*



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Metropolitan Magistrate, Egmore, Chennai 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 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 Court concerned 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 daily at 5.30 p.m, for a period of three months;

[c] the petitioner shall file an affidavit of undertaking stating that he will not have any communication with the victim girl in future;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[e] the petitioner shall not abscond either during investigation or trial;

[f] 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 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;

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

30.04.2024

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