



WEB COPY



Crl.O.P.No.11122 of 2024

Crl.O.P.No.11122 of 2024

K.KUMARESH BABU., J.

The petitioner herein seeks anticipatory bail in Crime No.71 of 2024 registered by the respondent Police for the offences under Sections 147, 323, 294(b) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act.

2. The learned counsel for the petitioner stated that the petitioner has been falsely implicated as an accused in this case. He is innocent. Thus, he seeks anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to a wordy quarrel between the petitioner and the de facto complainant regarding singing a song towards the defacto complainant's daughter, the petitioner attacked the defacto complainant. Some of the co-accused has been granted bail. Thus, he prays for dismissal of this petition.



Crl.O.P.No.11122 of 2024

WEB COPY

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 **learned XXIII Metropolitan Magistrate Court, Saidapet, Chennai-600 015**, 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 shall deposit a sum of Rs.10,000/- to the credit of Crime No.71 of 2024 before the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, within a period of four weeks from the date of receipt of a copy of this order and on such deposit, the defacto complainant is permitted to withdraw the same, on filing undertaking



CrI.O.P.No.11122 of 2024

affidavit and proper identification and acknowledgment;

[b]the petitioners 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.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of eight weeks;

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

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]*;

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

08.05.2024

shr



WEB COPY



Crl.O.P.No.11122 of 2024

K.KUMARESH BABU., J.

shr

Crl.O.P.No.11122 of 2024

08.05.2024