



Crl.O.P.No.11547 of 2024

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K.KUMARESH BABU, J.

The petitioner seeks anticipatory bail in Crime No.91 of 2024 registered by the respondent Police for the offences under Sections 323, 324, 427, 506 (i) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.

2. The learned counsel for the petitioner stated that the defacto complainant is the brother's son of the petitioner. Due to some family dispute, this case was registered against the petitioner. There is a counter case in Crime No.92/2024 registered against the defacto complainant, based on the complaint given by the wife of the petitioner. He further stated that petitioner is an innocent person and thus, he seeks for grant of anticipatory bail to the petitioner.

3. The learned Government Advocate (Criminal side) stated that petitioner and the defacto complainant are relatives. Due to wordy quarrel between them, it is alleged that they attacked each other. The injured have been discharged from the hospital. Thus, he prays for dismissal of this petition.



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4.Taking all the factors into consideration, I am 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate 1, Poonamallee**, 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 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.

[b] the petitioner shall report before the respondent police everyday at 10.00 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness



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either during investigation or trial;

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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];

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

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