



Crl.O.P.No.14271 of 2024

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T.V.THAMIILSELVI, J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, and Section 3 of the Tamil Nadu Public Property (Prevention of Damages and Loss) Act, 1992 in Crime No.78 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 05.03.2020, when the defacto complainant went to the nearby shop keeping her office opened, the petitioner along with other accused persons entered into the office of the defacto complainant and damaged the things. When the defacto complainant was informed about the incident, she rushed to the office and questioned them, the petitioner along with other accused persons abused her in filthy language and misbehaved her. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that this



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is the second anticipatory bail application before this Court. Earlier, the petitioner and other accused persons have filed anticipatory bail application before this Court in Crl.O.P.No.6830 of 2020. While so, the second and third accused had been arrested and hence the petition is dismissed as withdrawn as against the second and third accused and the petitioner herein had granted interim anticipatory bail on 24.03.2020. Thereafter, after the expiry of interim bail, the petitioner approached this Court and was granted anticipatory bail, on 25.02.2021 with condition. He further submit that during the end of January 2021, the petitioner undergone left eye operation thereafter, he was in post-operative treatment and again, he undergone Coronary Angiogram and till date, he is taking treatment. Therefore, the petitioner could not furnish the surety within the stipulated time, prescribed by this Court in Crl.O.P.No.6830 of 2020, dated 25.02.2021, thereby, the anticipatory bail granted by this Court stands dismissed. He further submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and has been falsely implicated in this case and also submits that the petitioner is now ready and willing to comply with any stringent conditions that may be imposed by this Court. Hence, prays to grant anticipatory bail to the



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petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that there are totally 4 accused in this case and that the petitioner is ranked as A1. He further submits that the co-accused in this case already remanded and was granted bail by this Court. He further submits that the petitioner along with other accused persons entered into the office of the defacto complainant and abused and misbehaved her and also damaged the things and thereby, caused damages to the tune of Rs.5,000/-. He also submits that investigation in this case has been almost completed. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the both counsel and also considering the fact that the investigation in this case has been almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on



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anticipatory 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 Judicial Magistrate, Pallavaram**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, each **[Out of which, one surety must be a blood related surety]** 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, on every Tuesday and Saturday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation;

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



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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 are released on anticipatory 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;

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