



Crl.O.P.No.12869 of 2024

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S.SOUNTHAR, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 324 and 506 (II) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.96 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are neighbours and due to property dispute, the accused entered into the house of the defacto complainant attacked the defacto complainant and his husband with hands and also threatened with dire consequences. Hence, the case.

3. The learned counsel for the petitioners stated that the petitioners are innocent persons and they have been falsely implicated in Crime No.96 of 2023 registered by the respondent Police. He further submitted that there is a case in counter. Thus, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) stated that the injured was treated as outpatient. However, he prays for dismissal of this petition.



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5. Having regard to the nature of allegations made against the petitioners and the fact that the injured was treated as outpatient, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 days from the date on which the order copy made ready, before the **learned District Munsif cum Judicial Magistrate, Gummidipoondi**, on condition that the petitioners shall execute separate bond for 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 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.

[b] the petitioners shall report before the respondent police everyday at 10.30.a.m., until further orders.

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



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[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 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]**;

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

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