



CrI.O.P.No.15238 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 324, 307, 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.218 of 2024, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that on the date of the incident, the petitioner was attending his duty at Loco work shop at Perambur, and he is also a Railway employee. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

3. Learned Government Advocate (CrI.Side) appearing for the



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respondent submitted that the petitioner and the defacto complainant are relatives, and on the date of occurrence, the petitioner along with other accused persons brutally assaulted the defacto complainant's sister's son with knife, and also abused him in filthy language. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

4. Taking into consideration the facts and the submissions made by the learned counsel on either side, 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 (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.II, Thiruvallur*, 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:



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(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 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, 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;

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

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