



Crl.O.P.No.15632 of 2024

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 355, 329, 323, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.40 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. Out of wedlock, she gave birth to a female child. All the petitioners harassed her stating that she gave birth to a female child, abused her in filthy language and pulled her hair and attacked her using chappal and also threatened with dire consequences, Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He further submitted that they



have arrived at a compromise between them and also filed a joint compromise memo to that effect. Therefore, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent has submitted that the parties have entered into a compromise and settled the dispute among themselves. They have also filed a joint compromise memo to that effect. In the said memo, it is stated that the defacto complainant had come forward to compromise the dispute with the 1st petitioner/husband and accepted for the quashment of the FIR in Cr.No.40 of 2024 pending on the file of the 1st respondent.

5. Considering the submission made by the learned counsel appearing on either side and the petitioner and the defacto complainant have filed a joint compromise memo, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on



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bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate-II, Hosur***, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only)each, 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 and on further conditions that:

[a] the petitioners 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 petitioners shall report before the respondent police as and when required for interrogation;

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

[d] the petitioners shall not abscond either during



investigation or trial;

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[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 has been imposed and the petitioners are 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;

It is made clear that if there is any deviation in following the terms of the joint compromise arrived at between the parties, the anticipatory bail granted to the petitioners will be cancelled.

29.07.2024

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