



CrI.O.P.No.19913 of 2024

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P.DHANABAL,J.

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 294(b) 323, 506(i) of IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002 and the same has been taken on file before the learned XXIII Metropolitan Magistrate, Saidapet in C.C.No.1235 of 2024 in connection with Crime No.282 of 2023 seeks anticipatory bail.

2. The case of the prosecution is that there was a property dispute between the petitioner and the defacto complainant which escalated into quarrel. Due to which, the petitioner along with her relatives had assaulted the defacto complainant and caused injuries to him. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and she has not committed any such offence as alleged by the prosecution. He further submits the defacto complainant had sustained simple injury. He further submits that non bailable warrant was



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issued against the petitioner by the learned XXIII Metropolitan Magistrate, Saidapet in C.C.No.1235 of 2024 in connection with Crime No.282 of 2023.

He also submits he is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that the investigation has been completed and charge sheet file and the same was taken on file in C.C.No.1235 of 2024 before the learned XXIII Metropolitan Magistrate, Saidapet, Chennai. During pendency of the case, the absconding charge sheet has been filed against the petitioner, for which, the trial Court has issued non bailable warrant against the petitioner. Hence, he strongly opposed for the grant of anticipatory bail to the petitioner.

5. Heard both side and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side and considering the non bailable warrant issued against the



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petitioner and after completion of investigation absconding charge sheet was filed against the petitioner and considering the date of FIR and all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **XXIII Metropolitan Magistrate, Saidapet, Chennai-15** 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the learned **XXIII Metropolitan Magistrate, Saidapet, Chennai-15** on every Monday at 10.30 a.m., for a period of four weeks.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

20.08.2024

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