



WEB COPY



Crl.O.P.No.19803 of 2024

Crl.O.P.No.19803 of 2024

P.DHANABAL,J.

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 294(b) 323, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002 in Crime No.201 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the husband of the defacto complainant. Due to misunderstanding between them, they got separated. Thereafter, the defacto complainant living with her parents and doing practice as an Advocate. The divorce proceedings is also pending before the learned Subordinate Judge, Katpadi in H.M.O.P.No.38 of 2023. The further case of the prosecution is that the petitioner has harassed the defacto complainant and criminally intimidated her with dire consequence. Hence, the case,



CrI.O.P.No.19803 of 2024

WEB COPY

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further submits that 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 petitioner had physically harassed the petitioner and criminally intimidated her with dire consequence. He further submits that the petitioner has no previous cases. The investigation is pending in this case. 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 matrimonial dispute between the petitioner/husband and his wife/defacto complainant and also fact that there is



CrI.O.P.No.19803 of 2024

no previous case against the petitioner, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate-III, Vellore** 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 respondent police, on every Saturday 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.

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

[d] On breach of any of the aforesaid conditions, the learned



CrI.O.P.No.19803 of 2024

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

Vv



WEB COPY



Crl.O.P.No.19803 of 2024

P.DHANABAL, J.

Vv

Crl.O.P.No.19803 of 2024

20.08.2024