



Crl. O.P. No.20942 of 2024

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P. DHANABAL.J.,

The petitioner / Accused who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 75, 79 of B.N.S. 2023 read with Section 4 of Tamil Nadu Prohibition of Women Harassment Act in connection with the Cr. No.371 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 20.08.2024, the defacto complainant was harassed by the petitioner in words and he outraged the modesty of the defacto complainant . Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent, that he is a dermatologist and the defacto complainant is a patient, that he has been falsely implicated in this case, that the occurrence was alleged to have taken place on 20.08.2024 and she has the complaint only on 23.08.2024, that he is no way connected with the commission of offence and he is ready to abide by any condition imposed by this Court. Hence he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for



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the respondent police would contend that the petitioner harassed the defacto complainant in words and outraged her modesty. Hence he objected for the grant of anticipatory bail. Further he submitted that no previous case is pending against the petitioner.

5. The learned counsel appearing for the intervener / defacto complainant has reiterated the arguments of the learned Government Advocate appearing for the respondent.

6. Heard both sides and perused the materials available on record.

7. Considering the arguments putforth on either side, considering the fact that no previous case is pending against the petitioner and considering the charges levelled against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

8. 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



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the date on which the order copy made ready, before the learned **V**

Metropolitan Magistrate, Egmore, Chennai on condition that the petitioners 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 respondent police on every Saturday at 10.00 a.m. for a period of 4 weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[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 have been imposed



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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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

05.09.2024

mjs

To

- 1.The V Metropolitan Magistrate, Egmore, Chennai.
- 2.The Inspector of Police, K1 Sembium Police Station, Chennai.
- 3.The Public Prosecutor, High Court, Madras.

P.DHANABAL,J
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