



Crl. O.P. No.21696 of 2024

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P. DHANABAL.J.,

The petitioner / Accused No.2 who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 76, 351(2) of B.N.S. 2023 read with Section 4 of Tamil Nadu Prohibition of Women Harassment Act in connection with the Cr. No.362 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the son of the defacto complainant and the accused 1 to 3 were friends, that due to the wordy quarrel between them, the defacto complainant's son slapped and beaten the petitioner's son on 20.08.2024 and on 23.08.2024 at 5 p.m., the petitioner and others came to the house of the defacto complainant, abused the defacto complainant and her sons in filthy language and beaten them. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent, that due to the quarrel and as the petitioner's son gave complaint against the defacto complainant's son, this false case has been registered against the petitioner, that she has not



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committed any offence as alleged in the FIR and she is ready to abide by any condition imposed by this Court. Hence he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would contend that there was a wordy quarrel in between the friends and due to which, the petitioner abused in filthy language and attacked the defacto complainant and her sons. He objected for the grant of anticipatory bail. Further he submitted that co-accused was already released on bail and injured was discharged from the hospital as the injury was simple.

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

6. Considering the arguments putforth on either side, considering the nature of offences charged against the petitioner, that injured person was discharged from the hospital and that this petitioner is the mother of main accused A1 and he was already released on bail, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the



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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 **XVII**

Metropolitan Magistrate, Saidapet, 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 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



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under Section 269 B.N.S.2023.

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05.09.2024

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To

- 1.The XVII Metropolitan Magistrate, Saidapet, Chennai
- 2.The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, F5 Choolaimedu Police Station, Chennai.

P.DHANABAL,J
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