



Crl. O.P. No.21690 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 296(b), 115, 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.324 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 29.08.2024, at 8.10 a.m., when the defacto complainant, a 3rd year medical student, was riding in her two wheeler from ESI Hospital to Anna Road, the petitioner came from opposite side tried to enter his apartment, dashed the vehicle of the defacto complainant, scolded her in filthy language, took her vehicle key and twisted her hand. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent, that he was riding in a right direction only, but the defacto complainant only had dashed his vehicle and abused him in bad words, that the defacto complainant's supporters came to the petitioner's house and threatened his in-laws and hence the petitioner



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lodge a complaint against the defacto complainant on 29.08.2024 and hence the defacto complainant lodge this false complaint against him using her political influence, that he has not committed any offence as alleged in the FIR and he 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 between the parties as the petitioner dashed the defacto complainant's vehicle. He objected for the grant of anticipatory bail. Further he submitted that there is no previous case against the petitioner 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 put forth on either side, considering the nature of offences charged against the petitioner, that injured person was discharged from the hospital and that there is no previous case pending against the petitioner, 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 **XXIII**

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



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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 XXIII Metropolitan Magistrate, Saidapet, Chennai
- 2.The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, R10 MGR Nagar Police Station, Chennai.

P.DHANABAL,J
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