



Crl.O.P.No.24654 of 2024

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WEB COPY **P.DHANABAL, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 351(3) of Bharatiya Nyaya Sanhita, 2023 r/w 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.253 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are husband and wife and they are running a Beauty Parlour. It is alleged that there was some dispute between them with regard to apportionment of the income. This led to a quarrel among them and thereafter, the quarrel escalated into violence. Hence, this petition.

3. The learned counsel for the petitioner would contend that the petitioner is an innocent persons and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.



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WEB COPY 4. The learned Government Advocate (Crl. Side) would submit that there was some dispute between the petitioner and the defacto complainant with regard to apportionment of the income. This led to a quarrel among them and thereafter, the quarrel escalated into violence. It is stated that there is no previous case pending against the petitioner and the injured was discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions made on either side, the nature of offences and the injured was discharged from the hospital and considering the fact that there is no previous case pending against the petitioner, this Court is 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 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



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learned Metropolitan Magistrate No.VIII, George Town, Chennai

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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 respondent police on every Saturday at 10.00 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[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 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



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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 229A IPC.

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