



Crl.O.P.Nos.24939 & 24640 of 2024

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WEB C **P.DHANABAL, J.**

The petitioners apprehend arrest for the alleged offences under Section 120(2) of BNS and Section 4 of Women Harassment Act, in Crime No.332 of 2024, on the file of the respondent police seek anticipatory bail.

2. The petitioner in Crl.O.P.No.24939 of 2024 is arrayed as A1 and the petitioner in Crl.O.P.No.24640 of 2024 is arrayed as A2. The case of the prosecution is that due to business transaction between A1 and the defacto complainant, A1 along with other accused have abused and assaulted the defacto complainant. Hence the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and due to business transaction between A1 and the defacto complainant, the defacto complainant has given a false complaint against the petitioners. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate (Criminal Side) appearing

for the respondent police submitted that due to business transaction between A1 and the defacto complainant, A1 along with other accused have abused and assaulted the defacto complainant. He further submitted that there is no previous case pending against the petitioners. He also submitted that there is a relationship between A1 and the defacto complainant. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the representations made by both sides and the nature of offences charged against the petitioner and the business relationship between A1 and the defacto complainant and there is no previous case against the petitioners and also of the fact that there is no specific overt act as against A2, this Court is inclined to grant **anticipatory bail** to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Alandur***, on condition that each of the petitioners



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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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report **before the respondent Police daily at 10.30 a.m., until further orders;**

[b] the petitioners 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 him from disclosing such facts of the Court or to any police officer.

[c] the petitioners shall not leave India without the previous permission of the Court.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall make himself/herself available for interrogation by a police officer as and when required.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]*.



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

14.10.2024

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