



Crl.O.P.No.25106 of 2024

WEB C **K.GOVINDARAJAN THILAKAVADI, J.**

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 296(b), 118(1), 115(2), 351(3) of the Bharatiya Nyaya Sanhita (BNS) Act r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.581 of 2024, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that due to the previous dispute, the petitioner along with the other accused has abused the de facto complainant and his family, assaulted them with hands and knife and also by threatening them with dire consequences, escaped from the scene of occurrence. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offense as alleged by the prosecution. He further submitted that the petitioner is the relative of the de facto complainant and due to the previous enmity, a false complaint has been given against him. Hence, he prayed to grant



anticipatory bail to the petitioner.

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4. Learned Government Advocate (Criminal Side) appearing for the respondent opposed for granting anticipatory bail to the petitioner stating that the petitioner (A2) and the de facto complainant are close relatives and due to the previous dispute, the petitioner along with other accused has abused and assaulted the de facto complainant and his family members with knife. Further, they have also threatened the de facto complainant with dire consequences.

5. Taking into consideration the facts and the submissions made by the learned counsel for the petitioner that the petitioner and the de facto complainant are close relatives, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate No.II, Kanchipuram***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, 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 petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police every Saturday at 10.30 a.m., for a period of two months and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 has been imposed and the petitioner is 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]***; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 269-BNS;

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