



Crl.O.P.No.28124 of 2024

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WEB COPY **A.D.JAGADISH CHANDIRA, J.**

The petitioners, who apprehend arrest for the alleged offences under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 125, 351(3) of BNS read with Section 4 of Tamil Nadu Woman Harassment Act (TNPWH) in Crime No.123 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A2 is the President of K.Vallam Village, Kuvagam, Ariyalur District and due to a dispute regarding laying the cement road in the K.Vallam village upto the de-facto complainant's house, there was a wordy quarrel between the petitioners and the defacto complainant and the petitioners had assaulted the de-facto complainant. Hence, the case.

3. Learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case as a counter blast for the complaint lodged by the first petitioner herein in Crime No.122 of 2024 as against the de-facto complainant in the



present case. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that it is a case and a case in counter in Crime No.122 of 2024 and the injured has been discharged from hospital. However, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (crl.side) and perused the entire materials available on record.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel on either side and also taking note of the fact that the petitioners are now ready to execute the sureties before the trial Court, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate Court, Sendurai, Ariyalur District, on condition that each of them executes 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 06.30 p.m., for a period of two weeks and thereafter, on every Saturday at 10.30a.m., until further orders;



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

[d] the petitioners 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 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS

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