



Crl.O.P.No.28513 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 324(4), 324(5) of BNS read with Section 4 of TN Prohibition of Harassment of Women Act in Crime No.458 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the defacto complainant is that, the petitioner had gone into the house of the defacto complainant in an inebriated condition, abused her in filthy language and also caused damage to the window pane . Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and since the defacto complainant's relative had eloped with the petitioner's relative, and when the same was questioned by the petitioner, false complaint has been given by the defacto complainant.



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Hence, he prayed for grant of anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner stating that the petitioner had gone into the house of the defacto complainant in an inebriated condition, abused her in filthy language and also caused damage to the window pane.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 learned**



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District Munsif Cum Judicial Magistrate, Pallipattu, on condition that the petitioner shall execute a separate 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 petitioner 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 petitioner shall report before the respondent police everyday at 6.30 p.m. for a period of two weeks and thereafter, every Saturday at 06.30.p.m. until further orders.

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

[d] the petitioner shall not abscond either during



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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 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

14.11.2024

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