



**Crl.O.P.No.28716 of 2024**

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

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 126(2), 115(2), 118(1), 351(3), 74 of BNS Act and Section 4 of TN Prohibition of Harassment of Women Act in Crime No.470 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, the defacto complainant one Selvi lodged a complaint against the petitioners, stating that her sister namely Keerthana was married to one Purushothamman in the year 2020, and there was a matrimonial dispute between them. Due to which, the petitioners, who are the parents of the said Purushothamman started harassing and humiliating her sister Keerthana. When the defacto complainant and her mother questioned the same, the petitioners along with Purushothamman abused them using filthy language, harassed and assaulted the defacto complainant with wood stick, thereby the defacto complainant sustained simple injuries. Hence, this case.

3. Learned counsel appearing for petitioners would submit that



petitioners are innocent and have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the defacto complainant went to the house of the petitioners and created unnecessary problem with the petitioner's son and due to wreck vengeance and to spoil the reputation of the petitioners, the defacto complainant had given false complaint against the petitioners and their son. He further submitted that the petitioners are ready to produce solvent sureties and to abide with any conditions that may be imposed by this Court, therefore, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioners, stating that the petitioners along with co-accused had abused and assaulted the defacto complainant on account of matrimonial dispute between the defacto complainant's sister and the petitioners, thereby, she sustained simple injuries. He further submitted that there is no previous case registered against the petitioners.

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



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6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and taking note of the fact that, there is no previous case registered against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 Judicial Magistrate No.II, Alandur** on condition that the petitioners 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 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 everyday at 10:30 a.m., for a period of one week and thereafter, as and when required for interrogation.**

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

**18.11.2024**

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