



Crl.O.P.No.29345 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest in connection with Crime No.557 of 2024, registered for the offences punishable under Sections 329(4), 296(b), 74, 118(1), 351(3) of the Bharatiya Nyaya Sanhiga, 2023 r/w. Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution as per defacto complainant is that, petitioner is the brother of her husband. On 28.09.2024, the petitioner trespassed into the house and misbehaved with her, and assaulted her with a knife. Hence the case.

3. Learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that during the year 2019, the brother of the petitioner, who is the husband of the defacto complainant had brutally assaulted the petitioner and a case in Crime No.469 of 2018 was registered and now the final report has been filed and the case is pending for examination of witnesses in C.C.No.47 of 2021 on the file of the District Munsif cum Judicial Magistrate. While so, in order to



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bring the petitioner for compromise a false complaint has been given. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) for the respondent police while opposing for the grant of anticipatory bail to the petitioner, would submit that, the petitioner misbehaved with the defacto complainant and also attacked her with a knife. When it was questioned by the defacto complainant's husband, the petitioner assaulted him with a Tester, and caused grievous injury. He would submit that, the injured is now been discharged from the hospital. He would further submit that the petitioner has no previous case.

5. Heard the learned Counsel for the Petitioner, the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Considering the above 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.



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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 District Munsif Cum Judicial Magistrate, Pallipattu**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall stay at Chennai and report before the Inspector of Police, North Beach Police Station, Chennai everyday at 10.30 a.m., other than attending the Court before learned District Munsif cum Judicial Magistrate at Pallipattu on the date of hearing;

[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



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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 of B.N.S.

25.11.2024

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To
The Inspector of Police,
North Beach Police Station,
Chennai.



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