



Crl.O.P.No.29266 of 2024

Crl.O.P.No.29266 of 2024

WEB COPY

A.D.JAGADISH CHANDIRA, J.

The petitioner/accused, who apprehends arrest for the alleged offences under sections 296(b), 115(2) and 351(2) of BNS, 2023 read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.789 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant, is that while she was travelling in the bus, the petitioner had misbehaved with her. When she questioned him, the petitioner attacked her and thereby, caused injuries. Hence the case.

3. The 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 further submit that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays for grant



Crl.O.P.No.29266 of 2024

of anticipatory bail to the petitioner.

WEB COPY

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, would submit that while the defacto complainant was travelling in the bus, the petitioner misbehaved with her. When it was questioned by her, the petitioner attacked her and thereby, causing injuries. He would further submit that she has been discharged from the hospital and there is no previous cases pending as against the petitioner.

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

6. Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that the injured person has been discharged from the hospital and there is no previous case pending as against the petitioner,



Crl.O.P.No.29266 of 2024

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 Judicial Magistrate No.I, Kallakruchi**, 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 his Aadhar card or Bank pass Book to ensure their identity;



CrI.O.P.No.29266 of 2024

A.D.JAGADISH CHANDIRA, J.

mac

[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 6.30 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 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 absconds, a fresh FIR can be registered under Section 269 of BNS.

22.11.2024



Crl.O.P.No.29266 of 2024

Crl.O.P.No.29266 of 2024