



Crl.O.P.No.29804 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.457 of 2023 registered for the offences punishable under Sections 448, 294(b), 506(i) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioner would submit that the petitioner was assaulted by the defacto complainant and the petitioner was given a complaint in Crime No.456 of 2023 before the respondent police as a counter blast, the defacto complainant had given a false case in Crime No.457 of 2023. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner had borrowed a sum of



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Rs.25,00,000/- based on the fabricated documents given as collateral security. He further submits that the investigation has been completed and the charge sheet has been filed before the Judicial Magistrate No.I, Vellore and the same was not taken on file.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Vellore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand



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automatically cancelled;

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of one week and thereafter appear before the Judicial Magistrate No.I, Vellore on the 3<sup>rd</sup> working day of January 2025 and thereafter, on the dates to be fixed by the leaned Judicial Magistrate;

[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.

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