



Crl.O.P.No.29888 of 2024

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SUNDER MOHAN, J.

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 126(2), 115(2) and 351(2) of BNS and read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Crime No.528 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are close relatives. The petitioner, along with others, attempted to assault the defacto complainant and threatened him of dire consequences and warned him not to depose against the petitioner in an earlier case. Hence, the complaint.

3. The learned counsel for the petitioner would submit that a false case has been foisted against the petitioner. The petitioner was attacked and he had lodged a complaint for the offence under Section 109(i) of BNS Act (307 of IPC) against the defacto complainant. He was also treated as an inpatient in the hospital. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) would submit that the investigation is pending. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the nature of allegations and the fact that the petitioner was injured and treated as an inpatient in the hospital, and since the custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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.II, Ponneri, Thiruvallur, 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:



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

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter on every Saturday at 10.30 a.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 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 absconds, a fresh FIR can be registered under Section 269 of BNS.

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