



Crl.O.P.No.30103 of 2024

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

Apprehending arrest in connection with Crime No.183 of 2024 registered for the offences punishable under Sections 296(b), 115(2), 118(1) & 351(3) of BNS, 2023 and Section 4 of TN Prohibition of Harassment of Women Act, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He would submit that the petitioners are 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 (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioners and the defacto complainant are neighbors. Due to dispute in painting the compound wall, the accused had assaulted the defacto complainant with iron rod, thereby caused grievous injuries. He would further submit that that there is one previous case against the A1, A2 and A4 and the 3<sup>rd</sup> accused has no previous case.



Crl.O.P.No.30103 of 2024

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4. Having heard the learned counsel for the petitioners 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 petitioners with certain conditions and accordingly, they are 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, Madathukulam* on condition that the petitioner shall execute a 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 said Magistrate, on further condition that:

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

[b] 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 stay at Udumalpet and report before the police, Udumalpet Police Station, everyday at**



Crl.O.P.No.30103 of 2024

**10.30 a.m., for a period of two weeks. During that period, the petitioners shall not enter into the jurisdictional limits of the respondent police station. Thereafter, the petitioners shall report before the respondent police on every Saturday at 10.30 a.m., until further orders.**

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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];

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

**03.12.2024**

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

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Crl.O.P.No.30103 of 2024

**Crl.O.P.No.30103 of 2024**

**03.12.2024**