



Crl.O.P.No.30829 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.874 of 2024, registered for the offences punishable under Sections 329(4), 296b, 115(2) and 351(3) of the BNS Act and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, the present petition has been filed seeking anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused had threatened the defacto complainant in Crime No.846 of 2024 and her daughter (another victim). Hence, the case.

3.Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would submit that the present case has been filed against the petitioner in Crl.O.P.No.30828 of 2024 is the business partner of A1 and the petitioner in Crl.O.P.No.30829 of 2024 is the driver of A2. He would submit that based on a false complaint the respondent police registered a case in Crime No.846 of 2024, the respondent had arrested A1/Rashida and when she was taken for remand the learned Judicial Magistrate No.I, Poonamallee refused to remand



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her and in order to wreck vengeance based on the false complaint the respondent police had once again arrested A1 in Crime No.874 of 2024 and she was remanded and she has been granted bail later. He would further submit that the fact remains that the petitioner had gone to Andhra Pradesh to get the affidavit from the defacto complainant and she was not kept as a bonded labour and whereas a false complaint has been given. He would submit that A1 has been arrested and released on bail. He would further submit that he is ready to abide by any stringent condition that may be imposed by this Court.

4.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 in Crl.O.P.Nos.30828 and 30829 of 2024 are the associates of A1 and they had gone to Andhra Pradesh to threaten the defacto complainant in Crime No.846 of 2024 and her daughter. He would further submit that the respondent police has also filed cancellation of bail in respect of A1 in Crime No.846 of 2024.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail



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to the petitioner with certain conditions.

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6. 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, Poonamallee, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intend 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 report before the respondent police on every day 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



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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 B.N.S.

11.12.2024

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