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Crl.O.P.No.31714 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2024

CORAM

**THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA**

**CRL OP NO. 31714 of 2024**

Yasotha Haridoss

Petitioner(s)

Vs

The State rep. by  
Inspector Of Police,  
E-3 Sathurangapattinam Police Station,  
Chengalpet Dt.  
(Crime No. 347 of 2024)

Respondent(s)

**PRAYER:** Criminal Original Petition has been filed under Section 482 of B.N.S.S. praying to enlarge the petitioner on bail in the event of her arrest in Crime No. 347 of 2024 pending investigation on the file of the respondent police.

**For Petitioner :** Mr.P.K.Ganesh

**For Respondent :** Mr.S.Santhosh,  
Govt. Advocate (Crl. Side)



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### **ORDER**

The petitioner/Accused No.5, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 296(6), 115(2), 118(i) and 351(3) of BNS, 2023 r/w Section 4 of Tamil Nadu prohibition of Harassment of Women Act, in Crime No.347 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner along with other accused and the defacto complainant family are close relatives to each other and on account of a property dispute, on 24.11.2024, they have attacked the defacto complainant, his parents and his family members with stone. Hence the case.

3. Learned counsel for the petitioner would submit that the it is a case and case in counter and the petitioner has been falsely implicated in this case. He would further submit that the 3<sup>rd</sup> accused had also lodged a complaint against the defacto complainant and his family members in Crime No.348 of



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2024 under Sections 296(b), 115(2), 118(i), 351(3) of BNS, 2023 read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act. He would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) for the respondent Police, on instructions, would submit that due to property dispute, the petitioner along with other accused have attacked the defacto complainant and his family members with stone, due to which, the injured persons were admitted in the hospital and treated as inpatients. He would further submit that it is case and case in counter. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. 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 her appearance within a period of



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fifteen days from the date of receipt of a copy of this order, before the **learned**

**Judicial Magistrate, Thirukazhukundram** 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] 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 their Aadhar card or Bank pass Book to ensure their identity.

**[b] the petitioner shall report before the respondent police everyday 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 petitioner in accordance with law as if the



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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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

**19.12.2024**

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To

1. Judicial Magistrate,  
Thirukazhukundram.
2. Inspector Of Police,  
E-3 Sathurangapattinam Police Station,  
Chengalpet Dt.
2. The Public Prosecutor,  
High Court, Madras.



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**A.D.JAGADISH CHANDRA, J.**

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