

**CRL.O.P.No.12382 of 2016****S.VAIDYANATHAN, J.**

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 307 IPC in Crime No. 64 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that in a wordy quarrel, the petitioner is alleged to have attacked the defacto complainant and caused injuries and threatened him with dire consequences.

3. The learned counsel for the petitioner submitted that false complaint has been lodged against the petitioner and he has not committed any such offence.

4. The learned Government Advocate (Crl. Side) on instructions submitted that the injured has been discharged from the hospital and this is a second application and the earlier application filed by the petitioner was dismissed as the victim was in the hospital.

5. Considering the facts and circumstances of the case and taking note of the fact that the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner with the following conditions.

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 of receipt of a copy of this order, before the learned Judicial Magistrate, Sankarapuram, on his executing 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

**S.VAIDYANATHAN, J.**

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respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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]**.

**20.06.2016**

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