



Crl.O.P.No.5107 of 2022

Dr.G.JAYACHANDRAN, J.

The petitioner, who apprehends arrest for the alleged offences **under Sections 294(b), 323, 427, 506(ii) of IPC** in Crime No.75 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. As per the FIR, the case of the prosecution is that the petitioner herein arrayed as A3, along with other accused have purchased fruits from the defacto complainant Shop. When the defacto complainant demanded money for the fruits, the petitioner refused to pay the money and thereby abused the defacto complainant with filthy language and also assaulted him with his hands.

3. Considering the nature of the offence committed by the petitioner, this Court is inclined to grant anticipatory bail **on condition that the petitioner should deposit a sum of Rs.10,000/- to the credit of the crime number 75 of 2022 within a period of seven days before the *Learned Judicial Magistrate, Paramathi*, failing which, the anticipatory bail granted shall stands cancelled.**



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4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the **Learned Judicial Magistrate-Paramathi** 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 learned Magistrate concerned and on further condition that:

(a) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of **Crime Number 75 of 2022** before the **Learned Judicial Magistrate, Paramathi**. On such deposit being made, the learned Magistrate, shall obtain an affidavit of undertaking that the sum of Rs.10,000/- was deposited by the petitioner to the credit of **Crime Number 75 of 2022**.

(b) the petitioner and the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall report before the Investigating Officer as and when required for interrogation.

(e)the petitioner 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 petitioner in accordance with law as if the conditions has 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]***; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

04.03.2022

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