



Crl.OP.No.19519 of 2022

Crl.O.P.No.19519 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b), 323, 392, 427, 448 & 506(ii) IPC in Crime No.634 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due previous enmity, the petitioner along with other accused, entered the house of the defacto complainant, abused in filthy language and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. There is a family dispute between the petitioner and the defacto complainant, due to which the defacto complainant lodged a false complaint on the petitioner. Hence, he prays to grant anticipatory bail to



CrI.OP.No.19519 of 2022

the petitioner.

WEB COPY

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner along with other accused entered the house of the defacto complainant and threatened with knife point. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner subject to 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 on which the order copy made ready, before the learned Judicial Magistrate, Thiruvottiyour 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, failing which, the petition for



Crl.OP.No.19519 of 2022

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 their Aadhar card or Bank pass Book to ensure their identity.

[b] 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.

[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 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 229A IPC.

25.08.2022

Anu



WEB COPY



Crl.OP.No.19519 of 2022

G.K.ILANTHIRAIYAN, J.

Anu

Crl.O.P.No.19519 of 2022

25.08.2022