



Crl.O.P.No.24311 of 2022

Crl.O.P.No.24311 of 2022

SATHI KUMAR SUKUMARA KURUP., J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) of IPC, in Crime No.173 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant working in a fruit stall belonging to Mari. One Angu residing nearby the defacto complainant also running a fruit stall. The said Angu's sons scolded the defacto complainant with filthy words and also asked him not to work in the Mari's fruit stall. Also alleged that due to the defacto complainant their business is not running well and beaten the defacto complainant giving life threat to him. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person. That he did not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.24311 of 2022

WEB COPY

4. The learned Government Advocate (Crl.Side) submitted that A1 already granted bail. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioner, 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 by the Respondent Police or the Police Officer, who intends to arrest or on the petitioner surrenders before the ***learned Judicial Magistrate, Arakkonam***, within a period of fifteen days from the date of receipt of a copy of this order, on executing a bond for a sum of ***Rs.10,000/- (Rupees Ten Thousand only)*** with two sureties for a like sum/amount to the satisfaction of the ***learned Judicial Magistrate, Arakkonam***. Further, one of the sureties shall be a blood relative.



CrI.O.P.No.24311 of 2022

(a) the sureties shall affix their photographs and left thumb impression in the surety bond. The Police Officer who intends to arrest or the learned Judicial Magistrate before whom the petitioner surrenders and the sureties execute bond shall obtain a copy of their Identity Card, Aadhar Card, or Voter Identity Card or Driving Licence or PAN Card or Bank Passbook with Photo affixed and attested by the Bank Manager as proof of Identity.

(b) *the petitioner shall report before the Respondent Police daily at 10.00 a.m., until further orders.*

(c) the petitioner shall not influence, threaten or coerce the 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 Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge himself/herself 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.

06.10.2022

rna

3/4



WEB COPY



Crl.O.P.No.24311 of 2022

SATHI KUMAR SUKUMARA KURUP., J.

rna

Crl.O.P.No.24311 of 2022

06.10.2022