



Crl.O.P.No.24376 of 2022

Crl.O.P.No. 24376 of 2022

WEB C SATHI KUMAR SUKUMARA KURUP, J.

The Petitioners, who apprehend arrest at the hands of the Respondent Police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC, in Crime No.301 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that, due to wordy quarrel, with regard to pathway, between the Petitioners and the Defacto complainant, the Petitioners attacked the Defacto complainant by way of using unparliamentary words. Hence, the complaint.

3. The learned counsel appearing for the Petitioners submitted that the Petitioners are innocent person and a false complaint has been foisted against them. He would further submit that in fact the Defacto complainant has attacked the Petitioners and on a complaint given by the Petitioners, a case was registered in Crime No.300 of 2022 against the Defacto complainant. Hence, he prays to grant anticipatory bail to the Petitioners.



Crl.O.P.No.24376 of 2022

WEB COPY

4. The learned Government Advocate (Crl.Side) submitted that, due to dispute in the pathway, there was a wordy quarrel between the Petitioners and the Defacto complainant and subsequently, the Petitioners attacked the Defacto complainant thereby causing injury. However, he would oppose for grant of anticipatory bail.

5. Considering the facts and circumstances of the case and also the fact that there is no previous case pending against the Petitioners, this Court is inclined to grant anticipatory bail to the Petitioners subject to the following conditions.

6. Accordingly, the Petitioners are 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 No.III, Tirupathur, Tirupathur District, 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) each with two sureties for a like sum/amount to the satisfaction of the learned Judicial Magistrate No.III,



Crl.O.P.No.24376 of 2022

Tirupathur, Tirupathur District. Further, one of the sureties shall be a blood relative.

(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 Petitioners shall report before the Respondent Police daily at 10.00 a.m., until further orders.

(c) the Petitioners shall not influence, threaten or coerce the witness either during investigation or trial;

(d) the Petitioners 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



WEB COPY



Crl.O.P.No.24376 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

drl/gv

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

drl/gv

Crl.O.P.No. 24376 of 2022