



CrI.OP.No.24502 of 2022

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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) and 506(ii) of IPC, read with Section 3 of Exorbitant Interest Act in Crime No.Not known of 2022, seeks anticipatory bail.

2. The case of the prosecution is that there was a money dispute between the Petitioner and the Defacto Complainant due to which, wordy quarrel arose between them and the Petitioner is said to have attacked the Defacto Complainant causing grievous injuries. Hence, the case.

3. The Learned Counsel for the Petitioner submitted that the Petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He would further submit that only to counter 138 complaint, the defacto complainant has preferred this case. Hence, he prays for grant of bail to the Petitioner.



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4. The learned Government Advocate (CrI.Side) submitted that a complaint under Section 138 of Negotiable Instrument Act is pending before the Judicial Magistrate, Thiruvarur in STC.No.964 of 2022. He further submits that the injured Victim has been discharged from the Hospital. However, he vehemently opposed for granting bail to the Petitioner.

5. Considering the submissions made by the Learned Counsel for the Petitioners and the objections made by the Learned Government Advocate (CrI.Side), this Court is inclined to grant bail to the Petitioner with the following conditions.

6. Accordingly, the Petitioner is ordered to be released on bail on executing his bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the **Learned Judicial Magistrate, Thiruvarur**. 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 and the learned Judicial Magistrate shall obtain a copy of their Identity Card, Aadhar



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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.

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gv/drl



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