



Crl.O.P.No.24693 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends 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.655 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant who is a married man was having an affair with A1 for the past 8 years, while that being so, he married another woman. Thereby, the petitioner asked to repay an amount of Rs.2 lakhs, which was given to the defacto complainant when they were in a relationship. Whereas A1 without returning the money, have assaulted the defacto complainant along with her relatives and also abused him and caused injures with blade. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and a case of money dispute has been falsely projected as if the accused have assaulted him. He would further



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submit that the co-accused has been arrested and enlarged on bail and the injured has also been discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that due to previous enmity, the petitioner has abused, intimidated and also assaulted him. He would further submit that the injured has been discharged from the hospital and there is no previous case pending against the petitioner. Hence he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and submissions of the learned Counsel and also of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Perundurai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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., until further orders.

[c] the petitioner shall not tamper with



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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 absconds, a fresh FIR can be registered under Section 229A IPC;

13.10.2022

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