



Crl.O.P.No.24731 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, 353, 307 and 506(2) of IPC in Crime No.312 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused had threatened the police and also attempted to murder him. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that, the petitioner during the relevant time was employed in Kerala as a labourer and happened to be the relative of the other accused. The learned counsel for the petitioner would further submit that the investigation has been completed and charge sheet has also been filed and the same has been taken cognizance in P.R.C.No.25 of 2021 on the file of the learned Judicial Magistrate, Vedaranyam and it is



pending committal. He would further submit that the petitioner is ready to appear before the trial Court. Hence, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that, the petitioner along with other accused in a drunken mood had attacked the police and also attempted to murder him. He further submitted that, apart from this case, there is no previous case pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail with certain 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, Vedaranyam** on condition that the petitioner shall



execute separate 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 learned Judicial Magistrate, Vedaranyam for a period of four (4) weeks at 10.30 a.m. on all working days and thereafter on the days fixed by the learned Judicial Magistrate.

[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



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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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