



Crl.O.P.No.25874 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 353, 506(i) of IPC in Crime No.184 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that due to enmity, the accused had abused the de facto complainant and assaulted him with hands, resulting in her sustaining injuries. Hence the complaint.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they are falsely implicated as accused in Crime No.184 of 2022. The de facto complainant has sustained simple injury and also discharged from the hospital. He would also submit that the petitioners are prepared to comply with any stringent condition imposed by this Court and he prays for grant of anticipatory



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bail to the petitioners. Hence he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal side) submits that petitioners have assaulted the de facto complainant, resulting in her sustaining injuries. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel on both sides and perused materials available on record.

6. Taking note of the submissions made on both sides, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the



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learned Judicial Magistrate, Nannilam, on condition that the each of 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 petitioners 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 petitioners shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks thereafter every Saturday at 10.30 a.m, until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

20.10.2022

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