



Crl.OP.No.26418 of 2022

A.D.JAGADISH CHANDIRA, J.

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324 and 506(ii) of IPC in Crime No.29 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on account of previous enmity, the petitioner along with other accused abused the defacto complainant, intimidated him and also assaulted him. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and since he happens to be the member of the accused and he has been falsely implicated in this case. He would further submit that the other accused have been granted anticipatory bail. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner has got three previous cases.



Hence, he would vehemently oppose to grant anticipatory bail to the petitioner.

5. In reply, the learned counsel for the petitioner would submit that out of that, one case was filed under Prohibition Act, in which, he was acquitted and another case was registered for the offence under Section 304A of IPC and yet another case has been registered under Sections 323 and 506(ii). He would further submit that investigation in this case is over and that the petitioner is ready to abide by any stringent condition.

6. Taking into consideration the facts and the submissions and the allegations in the complaint, this Court is inclined to grant anticipatory bail with certain conditions.

7. 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-I, Jayankondam*** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with



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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 on every day at 10.30 a.m., and 5.30 p.m., until further orders.

[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 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.

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