



CRL.O.P.No.30028 of 2022

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WEB C **T.V.THAMILSELVI,J.**

The petitioner, who apprehends arrest for the alleged offence under Sections 147, 148, 341, 294(b), 427, 324, 307 and 302 of IPC in Cr.No.188 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to fishing lease dispute in Vilari Village lake there arose a wordy quarrel between the petitioner and the defacto complainant and thereafter the petitioner assaulted the defacto complainant with a stick on his left hand and caused injury. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence prays for grant of anticipatory bail.

4.The **learned Government Advocate (Crl.Side)** submitted



that due to fishing lease dispute in Vilari Village lake there arose a wordy quarrel between the petitioner and the defacto complainant and thereafter the petitioner assaulted the defacto complainant with a stick on his left hand and caused injury. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-II, Wallajapet, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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



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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 is directed to report before the respondent police **on every Saturday at 10:30 a.m., for a period of three months and thereafter as and when required for interrogation.**

[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.

14.12.2022

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