



Crl.O.P.No.14388 of 2023

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A.D.JAGADISH CHANDIRA, J.

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 341, 506(ii) of IPC, in Crime No.275 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on the date of occurrence, the petitioner waylaid the defacto complainant and abused him in filthy language and also criminally intimidated. Hence the case

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and a false case has been foisted against him. Hence he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner waylaid the defacto complainant and abused him in filthy language and also criminally intimidated. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned



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Government Advocate (Crl. Side) and perused the materials available on record.

6.Taking note of the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is 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 learned Judicial Magistrate, Thirukazhukundram**, 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 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 everyday at 10.30 a.m., for period of four weeks, thereafter, on every Saturday at 10.30 a.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.

28.06.2023

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