



Crl.O.P.No.14654 of 2023

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G.CHANDRASEKHARAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 506(ii) IPC, in Crime No.122 of 2023, seek anticipatory bail.

2. The case of the prosecution is that there arose a wordy quarrel between the petitioner and the defacto complainant due to a money dispute, wherein the petitioner along with other accused have abused, assaulted and threatened the defacto complainant with dire consequences.

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 submit that both the petitioner and the defacto complainant suffered injuries in the alleged incident. He would further submit that there is a counter case in Cr.No.123 of 2023, registered as against the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that there arose a wordy quarrel between the petitioner and the defacto complainant due to a money dispute, wherein the petitioner along with other accused have abused, assaulted and threatened the defacto complainant with dire consequences. He would submit that the counter case registered in Cr.No.123 of 2023, as against the defacto complainant is being investigated and the same is pending. However, the injured has been discharged from the hospital. He opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that there is a counter case registered as against the defacto complainant and that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions, since custodial interrogation is not necessary.

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



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Magistrate No.2, Pollachi on condition that the petitioners 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 petitioner shall report before the respondent police daily 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.

[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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

30.06.2023

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