



Crl.O.P.No.18450 of 2023

Crl.O.P.No.18450 of 2023

WEB C **RMT.TEEKAA RAMAN, J.**

The petitioner, who apprehends arrest for the alleged offences under Section 294(b), 406 and 506(i) of IPC in Crime No.248 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working as a teacher at Sri Amith Vidyalayaa Matric School from 2018 by handed over the original certificates of her, in which, the petitioner was working as Correspondent-cum-Head Master. During the year 2020, the petitioner has failed to disburse salary to her for about 11 months and also failed to return the original certificates and when it was questioned by the defacto complainant, the petitioner has abused and threatened her. Hence, the case.

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 further submit that the defacto complainant has also



purchased $\frac{1}{2}$ share in the management of the school by a registered document dated 16.10.2017 and also on her willingness, she has permitted to take classes, whereas, she has not taken the class in the proper manner, for which, she was terminated. He would also submit that there is no other personal intention for the petitioner against the defacto complainant whereas, she gave a false complaint due to the management issues. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the petitioner failed to return the original certificates of the defacto complainant after she resigned her job in the school where the petitioner was working as a Correspondent-cum-Head Master.

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

6. Taking into consideration the facts and circumstances of the case,



the submissions made by the learned counsel on either side, this Court is inclined to grant 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Attur** 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 daily at 10.30 a.m., for a period of six weeks and thereafter as and when required for



Crl.O.P.No.18450 of 2023

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;

21.08.2023

vkr



WEB COPY



Crl.O.P.No.18450 of 2023

RMT.TEEKAA RAMAN, J.

vkrr

Crl.O.P.No.18450 of 2023

21.08.2023