

CrI.O.P.No.20450 of 2023**RMT.TEEKAA RAMAN, J.**

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The petitioner, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 353, 506(ii), 467, 468, 471, 120(B) of I.P.C, in Crime No.398 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner along with other were collecting parking fee in Sree Bhavani amman Temple at Periapalayam from the devotee without any licence and approval from temple concern due to act of A1 and A2. 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. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that by an order dated 07.08.2023, the earlier anticipatory bail application was dismissed by this Court. Subsequently, the present petition is filed. The co-accused was already arrested and released on bail and now substantial part of the investigation is over. However, he opposed for grant of anticipatory bail to the petitioner.



[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., 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 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]**.

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

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