



Crl.O.P.No.20449 of 2023

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RMT.TEEKAA RAMAN,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 324 and 506(ii) of I.P.C, in Crime No.331 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 07.08.2023, due to property dispute, the petitioner and her husband alleged to have formed one group and the defacto complainant, his wife and his brother's wife formed another group. Both the groups alleged to have attacked each others, in which the defacto complainant sustained injuries. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He would further submit that the injured has been discharged from Hospital and now the petitioner is ready to abide



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by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that due to property dispute, the petitioner and her husband alleged to have formed one group and the defacto complainant, his wife and his brother's wife formed another group. Both the groups alleged to have attacked each others, in which the defacto complainant sustained injuries. He would further submit that the injured has been discharged from the hospital. However, the opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days



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from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Sankari**, on condition that the petitioner 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 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 on every Wednesday and Saturday at 10.30 a.m., for a period of six weeks 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



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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.

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