



Crl.M.P.No.18038 of 2023
in Crl.O.P.No. 19813 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

This petition has been filed to modify the condition imposed by this Court in Crl.O.P.No.19813 of 2022 dated 23.08.2022, while granting anticipatory bail to the petitioner.

2. Heard both sides.

3. This Court, by an order dated 23.08.2023, granted anticipatory bail to the petitioner on the following conditions :

“6. Accordingly, the petitioners are 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 No.II, Attur, on condition that each of the petitioners 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 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 first petitioner shall pay a sum of Rs.5000/- (Rupees Five Thousand only) per month, as interim maintenance to the defacto complainant. If there is any violation of the said condition, the respondent Police is directed to secure the first petitioner and proceed in accordance with law.

[c] the first petitioner shall report before the respondent police daily at 10.30 a.m, for a period of two weeks and thereafter as and when required for interrogation. The second petitioner shall report before the respondent police as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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]**.

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

4. It is seen that the petitioner is also continuously paying a sum of Rs.5,000/- to the defacto complainant, who is none other than his own father. Therefore, this Court is not inclined to modify the conditions imposed by this Court in Crl.O.P.No.19813 of 2022 dated 23.08.2022. The petitioner shall have to maintain his own father.

5. Accordingly, this Criminal Miscellaneous Petition stands dismissed.

22.11.2023

Lpp



WEB COPY



G.K.ILANTHIRAIYAN, J

Lpp

CrI.M.P.No.18038 of 2023
in CrI.O.P.No. 19813 of 2022



WEB COPY



22.11.2023