



Crl.O.P.No.25896 of 2023

Crl.O.P.No.25896 of 2023

WEB COPY

C.V.KARTHIKEYAN, J.

The petitioner herein seeks anticipatory bail in Crime No.539 of 2023 registered by the respondent Police for the offences under Sections 294(b), 323 and 506(i) IPC.

2. It is stated by the learned Government Advocate (Criminal Side) that A1 had been arrested and he had been granted bail. He also stated that the defacto complainant is a retired Government employee and a document writer. He was asked to prepare a lease deed and in the course of that there was a quarrel between them which escalated into violence.

3. The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely roped as accused by the defacto complainant due to the previous enmity. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Taking into consideration of all these factors, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.25896 of 2023

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 District Munsif cum Judicial Magistrate, Nannillam**, 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 once in a week i.e., every Saturday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for the interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



Crl.O.P.No.25896 of 2023

WEB COPY

[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.

10.11.2023

mkn2/smn



WEB COPY



Crl.O.P.No.25896 of 2023

C.V.KARTHIKEYAN, J.

mkn2

Crl.O.P.No.25896 of 2023

10.11.2023