



Crl.O.P.No.3037 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/third accused who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 341, 323, 324 and 506(ii) of IPC in Crime No.671 of 2023, seeks anticipatory bail.

2. It is stated that father of the defacto complainant had stabbed A1 in which FIR in Crime No.307 of 2023 had been registered. Keeping that as motive, the accused had caused injury by stabbing the defacto complainant.

3. The earlier application seeking anticipatory bail was dismissed on 10.01.2024 in Crl.O.P.No.27494 of 2023. The change in circumstances is that subsequently, A1 and A2 had been arrested and had been granted bail.

4. However, taking all the other factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is 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 **Judicial Magistrate,**



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Madhavaram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 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 petitioner in accordance with law as if the conditions



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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 absconds, a fresh FIR can be registered under Section 229A IPC.

13.02.2024

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