



Crl.O.P.No.8969 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 436 of IPC in Crime No.278 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, due to previous enmity between the petitioner and the defacto complainant, on 11.03.2024, when the defacto complainant's mother sleeping at her house at that time the petitioner set fire to the house. Hence the complaint.

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 (Crl.Side) appearing for the respondent would submit that due to previous enmity the petitioner set fire to



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the house of the defacto complainant's mother and caused damages to the house hold properties. He further submitted that the petitioner has no previous case pending against him and the investigation is almost completed. However, he opposed for granting anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel on either sides, and the investigation is almost completed and there is no previous case pending against him, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) **to the credit of Crime No.278 of 2024** and on such deposit, 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 learned Judicial Magistrate, Vikravandi, 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



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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 everyday Saturday at 10.30 a..m, for a period of eight weeks.

(c) The defacto complainant is permitted to withdraw the amount deposited by the petitioner in Crime No.278 of 2024, on proper identification, in the manner known to law.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner 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 petitioner in accordance with



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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]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

12.04.2024

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