



Crl.O.P.No.9642 of 2024

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R.HEMALATHA, J.

The petitioners, who apprehend arrest at the hands of the respondent police, have filed the present anticipatory bail petition.

2. The case of the prosecution is that the accused/petitioners herein, due to the previous enmity, had abused the de facto complainant and his wife in a filthy language and attacked them with wooden log, causing grievous injuries and also threatened them with dire consequences. Based on the complaint given by the de facto complainant, a First Information Report in Crime No.86 of 2024 was registered for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.



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4. Considering the nature of the offence and the dispute between the parties and taking note of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with the following conditions.

(i) the petitioners shall appear before the ***Judicial Magistrate, Sendamangalam***, within a period of fifteen (15) days from the date of receipt of a copy of this order and execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, for like sum each to the satisfaction of the Judicial Magistrate, Sendamangalam.

(ii) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(iii) the petitioners shall appear before the respondent police daily at 10.00 a.m., and sign for four weeks and thereafter, on every Saturday for four weeks.

(iv) the petitioners shall not tamper with the evidence and shall not abscond either during investigation or during trial.



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(v) 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 are 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]***; and

(vi) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

22.04.2024

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