



**Crl.O.P.No.10419 of 2024**

**T.V.THAMILSELVI, J.**

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 147, 148, 341, 307 r/w. 149 and 506(ii) of IPC in Crime No.18 of 2014 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that on 08.01.2014, one Palaniammal wife of Siva given a complaint alleging that due to previous enmity the 1<sup>st</sup> accused along with other persons attacked the defacto complainant's husband with the Aruval. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the is an innocent and he has been falsely implicated in this case and he is ready to abide by any condition that may be imposed by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioner .

4.The learned Government Advocate (Crl. Side) submitted that the petitioner has obtained anticipatory bail before the Trial Court vide Crl.M.P.No.850 of 2020 dated 20.08.2020 with a condition that the petitioner



shall surrender before the Judicial Magistrate Court at Trichengode on or before 03.09.2020 through Jisthi Meet with further condition to deposit a sum of Rs.10,000/- as cash security before the concerned Judicial Magistrate, Trichengode. The petitioner has not complied with the above orders and had filed another two applications in Crl.M.P.No.928 of 2020 and Crl.M.P.No.228 of 2023 and the Lower Court had granted time till 15.02.2023 to pay the aforesaid amount. But he has not complied with the above said order. Hence he vehemently opposed for grant of anticipatory bail to the petitioner .

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, now he ready to abide any condition, this Court is inclined to grant anticipatory bail to the petitioner .

7.Accordingly, the petitioner is directed 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



at Trichengode, 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 the petitioner, 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;*

*(b) the petitioner shall appear before the trial Court on all hearing;*

*(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*



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*with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/trial Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;*

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

**29.04.2024**

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