



Crl.O.P.No.11422 of 2024

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K.KUMARESH BABU., J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(ii) of Indian Penal Code in Crime No. 196 of 2024, seek anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel between the petitioners and the defacto complainant, the petitioners had assaulted the de facto complainant.

3. It is stated that the petitioners have been falsely implicated and they have not committed any offence whatsoever alleged by the respondent/prosecution. It is further stated that the petitioners are no way connected with the occurrence.

4. It is stated that the petitioners are ready to abide any condition that may be imposed by this Hon'ble Court and ready to furnish substantial sureties to the satisfaction of the Trial Court. Hence, the petitioners seeks Anticipatory bail in the event of his arrest in Cr.No.196 of 2024 on the file of the respondent police.

5. Taking all the factors into consideration and also the fact that no similar petition filed or pending before the Sessions Court, this Court



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is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are 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 learned Judicial Magistrate, Kunnam on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each 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 this Court concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall appear before the respondent police daily at 10.30 a.m., and thereafter, as and when required for interrogation.

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

[d] the petitioners 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



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petitioners in accordance with law as if the conditions 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.

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