



Crl.O.P.No.12038 of 2024

Crl.O.P.No.12038 of 2024

S.SOUNTHAR, J.

The petitioner herein seeks anticipatory bail in Crime No.285 of 2024 registered by the respondent Police for the offences under Sections 294(b), 324 and 506(ii) IPC

2. The case of the prosecution is that the defacto complainant and the accused persons are close relatives. There arose a wordy quarrel between them, in which the petitioner along with other accused abused the defacto complainant in filthy language and assaulted his son with stones, due to which he sustained injuries. Hence, the case.

3. The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in the case. He submitted that the son of the defacto complainant sustained only simple injuries. Thus, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) stated that, the injured has been discharged from the hospital. However, he prays for dismissal of this petition.



Crl.O.P.No.12038 of 2024

WEB COPY

5. Having regard to the nature of the allegations made against the petitioner and also the fact that the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 **learned Judicial Magistrate, Dharapuram** on condition that the petitioner shall execute separate 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 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., for a period of two weeks.**

[c] the petitioner shall not tamper with evidence



CrI.O.P.No.12038 of 2024

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 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];**

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

29.05.2024

sma

S.SOUNTHAR, J.

sma



WEB COPY



Crl.O.P.No.12038 of 2024

Crl.O.P.No.12038 of 2024

29.05.2024