



Crl.O.P.No.12229 of 2024

Crl.O.P.No.12229 of 2024

C.SARAVANAN, J.

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 352 and 506(ii) of IPC in Crime No.82 of 2024, seeks anticipatory bail.

2. The petitioner is arrayed as A1 in Crime No.82 of 2024 before the respondent. It appears that the petitioner is the husband of the village President who had repeatedly resorted to violations and threatened the de facto complainant and assaulted him. It also appears that the de facto complainant was admitted in the hospital on account of the alleged injury caused by the petitioner and discharged on 18.05.2024.

3. Learned Government Advocate (Criminal Side) submits that atleast six other cases are pending against the petitioner. He further confirms that the de facto complainant/injured has been discharged from the hospital on 18.05.2024.

4. On querying, the learned counsel for the petitioner submitted that the petitioner is a JCB Operator and he has been falsely implicated in this case.



5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police and perused the materials available on record.

6. Considering the facts and the submissions made by the learned counsel on either side and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail subject to a condition that the petitioner has to donate a sum of Rs.25,000/- to any registered Orphanage at Kallakurichi District, without prejudice to his defence.

7. Accordingly, the petitioner is directed to donate a sum of Rs.25,000/- (Rupees Twenty five thousand only) to any registered Orphanage at Kallakurichi District and on production of proof for the same, 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 is made ready, before the learned Judicial Magistrate, Sankarapuram, 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 or to the satisfaction of the



Crl.O.P.No.12229 of 2024

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 as and when required for interrogation;

[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 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.

23.05.2024

ham



WEB COPY



Crl.O.P.No.12229 of 2024

C.SARAVANAN, J.

ham

Crl.O.P.No.12229 of 2024

23.05.2024