



WEB COPY



Crl.O.P.No.19057 of 2024

Crl.O.P.No.19057 of 2024

P.DHANABAL, J.

The petitioner seeks anticipatory bail in Crime No.151 of 2024 registered by the respondent Police for the offences under Sections 294(b), 323, 324, 506(ii) IPC.

2. The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. On 11.06.2024, the defacto complainant had lodged a complaint against the petitioner that he assaulted the defacto complainant with a roof tile and thereby caused grievous injury. Hence, this case.

3. The learned counsel for the petitioner submitted that the petitioner and the defacto complainant are husband and wife and he has not committed any offence as alleged by the prosecution and a false case has been foisted against him. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the accused assaulted the defacto



Crl.O.P.No.19057 of 2024

complainant with a roof tile and caused grievous injury. The defacto complainant was admitted in hospital and now, she is discharged from hospital.

5. Taking into consideration the nature of the offence charged against the petitioner and also the fact that the injured is discharged from hospital and the relationship between the parties, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Palacode**, on condition that the petitioner shall execute a 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



CrI.O.P.No.19057 of 2024

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 on every Saturday at 10.00 a.m., for a period of four weeks and thereafter, 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;

09.08.2024

gsk



WEB COPY



Crl.O.P.No.19057 of 2024

P.DHANABAL,J.

gsk

Crl.O.P.No.19057 of 2024

09.08.2024