



Crl.O.P. No. 20236 of 2023

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T.V.THAMILSELVI, J.

Earlier, this court by an order dated 02.11.2023 granted interim anticipatory bail on condition that the petitioner shall vacate the premises on or before 30.11.2023 and adjourned the matter for reporting compliance.

2. Today, when the matter taken up for hearing under the caption “For reporting compliance”, both learned counsel for the petitioner and intervenor/defacto complainant appeared and submitted that as per the condition imposed by this court, the possession was handed over by the petitioner/tenant to the defacto complainant. Accordingly, the petitioner's counsel seeks to grant anticipatory bail to the petitioner.

3. Considering the facts and circumstances and also on considering the submissions of learned counsel for petitioner stating that the possession was handed over by the petitioner/tenant to the defacto



Crl.O.P. No. 20236 of 2023

WEB COPY

complainant, the interim anticipatory bail granted by this court vide order dated 02.11.2023 is made absolute with certain conditions that

[a] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[b] the petitioner shall not abscond either during investigation or trial.

[c] 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]**.

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

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Crl.O.P. No. 20236 of 2023

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Crl.O.P.No. 20236 of 2023

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