



Crl.O.P.No.20756 of 2024

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**P.DHANABAL, J.**

The petitioner apprehends arrest for the alleged offences under Sections 296(b), 115(2), 118(1) and 351(3) of the B.N.S.Act and in Crime No.232 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the *de facto* complainant had brought up the first accused as her son and the first accused transferred the *de facto* complainant and her husband's properties to his name. While so, the *de facto* complainant locked her weaving unit and the same was opened by the fourth accused and as the *de facto* complainant questioned as to why the weaving unit was opened, quarrel arouse between the petitioner and fourth accused with the *de facto* complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner had not committed any offence as alleged and the petitioner



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had been falsely implicated in this case. He submitted that the petitioner a labourer in the weaving unit of the first accused and willing to furnish substantial sureties for her due release and abide by any condition that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioner .

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the first accused has changed the properties of the *de facto* complainant and her husband in his name and as there was a dispute between them, the *de facto* locked her weaving unit but the fourth accused opened the unit and started working there. When this act was questioned by the *de facto* complainant, a quarrel arouse between the petitioner and fourth accused with the *de facto* complainant and there is no previous case as against the petitioner and further, considering the gravity of offence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the representations made by both sides and considering the nature of offences charged against the petitioner and as the injured was discharged from the hospital and that there is no previous case



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pending as against the petitioner, this Court is 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/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **Judicial Magistrate Avinasi**, 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report **before the respondent police on every Saturday, for four weeks.**

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts of the Court or to any police officer.

[c] the petitioner shall not leave India without the previous permission of the Court.



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

[e] the petitioner shall make himself/herself available for interrogation by a police officer as and when required.

[f] 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]***.

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

**28.08.2024**

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