



Crl.O.P.No.24103 of 2024

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P.DHANABAL, J

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS in Crime No. 298 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are neighbours. On 16.09.2024, there is a wordy quarrel between the petitioners and the defacto complainant, due to which, petitioners had assaulted the defacto complainant. Hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution and a false case has been foisted against them. Hence, he prayed to grant anticipatory bail to the petitioners.



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4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there is a dispute between the petitioners and the defacto complainant, due to which petitioners attacked the defacto complainant. He further submitted that the injured have been discharged from the hospital and that no previous case is pending as against the petitioners. However, he opposed for grant of anticipatory bail to the petitioners.

5.Considering the submissions of both sides, the nature of offence and the fact that the injured have been discharged from the hospital and that there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Sankarapuram*** on condition that the petitioners 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



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or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police on every Saturday at 10.30 a.m for a period of four weeks and thereafter, as and when required for interrogation.

[b] the petitioners 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 to the Court or to any police officer or tamper with the evidence.

[c] the petitioners shall not leave India without the prior permission of the Court.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the



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Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala*
[(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 269 B.N.S.

14.10.2024

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