



Crl.O.P.No.25056 of 2024

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K.GOVINDARAJAN THILAKAVADI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 189(2), 296(b), 115 (2), 118(2) and 351 (2) of BNS Act, in Crime No.133 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute, petitioner assaulted the defacto complainant along with other persons on 21.09.2024 at 6 pm in front of her house. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is no way connected with the alleged offence. Hence, he prayed for grant of anticipatory bail to the petitioner.



Crl.O.P.No.25056 of 2024

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4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with other persons have used criminal force against the defacto complainant. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and the submissions made by the learned counsel on either side, 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 appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Sangarapuram**, 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



CrI.O.P.No.25056 of 2024

WEB COPY

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 Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks.

[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



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CrI.O.P.No.25056 of 2024

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 269-BNS;

09.10.2024

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Crl.O.P.No.25056 of 2024

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Crl.O.P.No.25056 of 2024

09.10.2024