



Crl.O.P.No.26701 of 2024

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P.DHANABAL, J.

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The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offences under Sections 147, 148, 294[b], 323, 324 and 506[ii] and 307 of IPC in Crime No.283 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused had waylaid the defacto complainant and demanded money from him on the eve of temple festival and when he refused to give money, it is alleged that the accused have assaulted the defacto complainant and caused injury and abused him in filthy language. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that co-accused have already been released on bail. Hence, he prayed to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner along with other accused had waylaid the defacto complainant and demanded money from him on the eve of temple festival and when he refused to give money, it is alleged that the accused have assaulted the defacto complainant and caused injury and abused him in filthy language. He further submitted that “the injured” has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the submissions of both sides and also of the fact that the injured person has been discharged from the hospital and co-accused have already been released on bail and no previous case is pending 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 appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned District Munsif cum Judicial Magistrate, Thirukalukundran**, 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 and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m. until further Orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

[d] 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 v. State of Kerala [(2005) AIR SCW 5560].

[e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the B.N.S



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