



Crl.O.P.No27285 of 2024

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P.DHANABAL,J.

The petitioner/accused , who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 174 of Cr.P.C and later altered into Sections 294(b) and 306 of IPC in Crime No.107 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's daughter/ deceased had a love affair with the petitioner. Later, he has refused to marry her, due to which, she has committed suicide by consuming rat paste. Subsequently, she died in the hospital. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further states that there is no previous case against him and he is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.



CrI.O.P.No27285 of 2024

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4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that the defacto complainant's daughter/ deceased had a love affair with the petitioner. Later, he has refused to marry her, due to which, she has committed suicide by consuming rat paste and died in the hospital. He further submits that postmortem viscera report has received. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (CrI.Side) and perused the materials available on record.

6. Considering the nature of allegations levelled against the petitioner, love affair between the petitioner and the deceased, there is no previous case against him and also the fact that investigation was almost completed and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:



CrI.O.P.No27285 of 2024

WEB COPY

7. 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-I, Sankarapuram*** 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police everyday 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



CrI.O.P.No27285 of 2024

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].

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

29.10.2024

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Crl.O.P.No27285 of 2024

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Crl.O.P.No.27285 of 2024

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