



Crl.O.P.No.27571 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 296(b) and 109 of B.N.S. in Crime No.435 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Panchayat President of Siruvanur Village. On 18.09.2024, road laying work was going on near Siruvanur Othavadi and the defacto complainant's husband was inspecting the same. At that time, the petitioner along with three others, quarreled with the defacto complainant's husband and also attempted to murder him. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case due to political animosity. He further submitted that no one was injured in this case and that the arrested accused/A1 to A3 have been enlarged on bail. Hence, he prayed for grant of anticipatory bail to the petitioner.



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4. The learned Advocate (Crl. Side) appearing for the respondent police opposed the grant of anticipatory bail to the petitioner/A4 stating that there was a quarrel regarding laying of road in the Patta land during which, the petitioner along with three other accused abused the defacto complainant's husband with filthy language and also attempted to murder him. He further submitted that A1 to A3 were arrested and subsequently released on bail and that no one was injured in this case. He also submitted that there are five previous cases against the petitioner in which, two cases have been disposed of.

5. Heard the learned counsel for the petitioner, the learned Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that A1 to A3 have been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in



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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 No.1, Tiruvallur**, 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, 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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 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 B.N.S.

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