



Crl.O.P.No.28579 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 351(3) and 3(5) of BNS in Crime No.340 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the defacto complainant one Pradheeshwar, lodged a complaint stating that the petitioner along with other accused persons, abused and assaulted the defacto complainant, further threatened the defacto complainant with dire consequences. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and no way connected with the alleged offence and he has been falsely implicated in the case. He would further submit that there is a wordy quarrel took place between the defacto complainant and the petitioner, hence with ulterior motive, this false complaint has been lodged by the defacto complainant. He would further submit that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this

Court and also to appear and co-operate for the investigation, therefore, he



prayed for the grant of anticipatory bail to the petitioner.

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4. Learned Additional Public Prosecutor (Puducherry) appearing for the respondent police while opposing for the grant of anticipatory bail to the petitioner, submitted that the petitioner along with other accused had abused and assaulted the defacto complainant using hands. He would further submit that the petitioner is having five previous cases and the investigation is still pending.

5. Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor (Puducherry) 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 counsels on either side, 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 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 Court-III, Puducherry** 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, 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. and 6:30 p.m., until further orders.

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



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

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20.11.2024

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