



Crl.O.P.No.29282 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.683 of 2024 registered for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that, on 31.10.2024, during diwali time, there was a wordy quarrel between the petitioner and the defacto complainant. Due to which, on 10.11.2024, in order to wreck vengeance, the petitioner with his knife, along with other accused assaulted the defacto complainant. On 11.11.2024, the defacto complainant admitted in the Stanley Government Hospital and the respondent police recorded the complaint from the injured. Hence the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.



Crl.O.P.No.29282 of 2024

4. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, the petitioner along with other accused, due to previous enmity, assaulted the defacto complainant using knife and caused injury. The injured later has been discharged from the Hospital. He would further submit that the petitioner has 3 previous case, out of which, in 2 cases he was acquitted and one case is still pending.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, 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 XVI Metropolitan Magistrate Court, George Town**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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



Crl.O.P.No.29282 of 2024

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 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 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 of B.N.S.

27.11.2024

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Crl.O.P.No.29282 of 2024

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