



Crl.O.P.No.29406 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner/A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 118(1) and 109 of BNS, 2023 in Crime No.360 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to a property dispute, the petitioner along with other accused had assaulted the defacto complainant with knife and caused injury. Hence the case.

3. Learned counsel appearing for petitioner would submit that petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is prepared to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the



respondent police, while opposing for the grant of anticipatory bail to the petitioner, would submit that the injured has been discharged from the hospital and the 1st accused was arrested and released on bail. He would further submit that the respondent police has filed the final report before the learned Judicial Magistrate No.II, Villupuram.

5. Heard the learned counsel for the petitioner, the learned Government 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 the injured was discharged from the hospital, 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned**



Judicial Magistrate No.II, Villupuram on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties** 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 learned Judicial Magistrate No.II, Villupuram on all working days at 10.30 a.m., for a period of two weeks and thereafter, on the dates fixed by the learned Judicial Magistrate;

[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



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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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

25.11.2024

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