



Crl.O.P.No.29684 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.394 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, the accused attacked the defacto complainant with stones and caused injuries. 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 further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, would submit that, it is a case of love affair, due to which, A-1 to A-3 assaulted the defacto complainant using stones and also with hands and legs. He would submit that petitioner is arrayed as A-3 and co-accused, A-1 and A-2 were arrested and still in custody. He would submit that the injured has now been discharged from the



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hospital and the petitioner/A-3 has no previous case.

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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 Judicial Magistrate-I, Attur**, 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 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;



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**[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;**

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

27.11.2024

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