



Crl.O.P.No.29715 of 2024

Crl.O.P.No.29715 of 2024

A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.257 of 2024 registered for the offences punishable under Sections 303(2), 296(b) and 351(3) of BNS, 2023, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that, on 27.10.2024, at 8.00 a.m., when the defacto complainant went to the Well to draw water, the shutter box in the motor room was not found intact. When he enquired about the same in the neighborhood, he came to know that the petitioner along with other accused due to previous enmity, removed the shutter box and taken with them. When it was questioned by the defacto complainant, the accused at knife point, threatened and attempted to attack the defacto complainant. 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.



Crl.O.P.No.29715 of 2024

4. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, would submit that, the petitioner along with other accused, due to previous enmity committed theft of Shutter box from the defacto complainants motor room, which is meant to use for cattle and for farming. He would submit that the property was recovered and there is no previous case pending against the petitioner. 5. Having heard the learned counsel for the petitioner, 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 **District Munsif cum Judicial Magistrate Court at Edappadi**, 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:



Crl.O.P.No.29715 of 2024

[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 everyday at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday 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.

28.11.2024

dsn



WEB COPY



Crl.O.P.No.29715 of 2024

A.D.JAGADISH CHANDIRA, J.

dsn

Crl.O.P.No.29715 of 2024

28.11.2024