



Crl.O.P.No.29986 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.90 of 2021 registered for the offences punishable under Sections 294(b) and 353 of IPC, 1860, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that, on 14.09.2021, based on a complaint lodged by the defacto complainant, the respondent police interrogated the petitioners. During the interrogation, the petitioners allegedly prevented the officials from discharging their duties and threatened them with filthy language. Hence, the case.

3. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. Learned counsel for the petitioners would submit due to matrimonial dispute, a false complaint has been lodged. He would further submit that the petitioners are innocent and they have been unnecessarily implicated in this case. He further submits that the petitioners are 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 (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that due to matrimonial dispute, a complaint has been lodged by the defacto complainant. Based on a complaint, the respondent police interrogated the petitioners. During the interrogation, the petitioners obstructed the officials from discharging their duties and threatened them using filthy language.

5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kattumannarkoil, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), each 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 said Magistrate, on further condition that:



[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the first petitioner shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., for a period of three months and thereafter, as and when required for interrogation; the 2nd petitioner shall report before the respondent police as and when required for interrogation ;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

02.12.2024

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Lpp

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