

In the Court of Principal Sessions Judge, Kanyakumari District at Nagercoil.

Present : Thiru S. Arulmurugan, B.A., B.L.,
Principal Sessions Judge.

Wednesday, the 12th day of October, 2022.

CrI.M.P. No. 5462/2022

(CNR.No.TNKK01-007425-2022)

Satheesh @ Ashok Kumar S/o. Pooyan

..Petitioner

/Vs./

Inspector of Police,

Thiruvattar Police Station,

Crime No. 250/2022 of Thiruvattar Police Station,

Rep. by P.P. Nagercoil.

.. Respondent

This petition is filed by Advocate Thiru G. Balakrishnan, u/s 438 Cr.P.C., praying to grant anticipatory bail to the petitioner.

ORDER

Heard both sides.

The petitioner/accused alleged to have been committed the offence u/s 341, 294(b), 323 and 506(i) of IPC.

The case of the prosecution case is that on 30.09.2022 at about 09.00 A.M., the accused wrongfully restrained the informant and used filthy words against him and assaulted him and caused simple injury to him and also criminally intimidated him. Hence the charge.

The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and nothing has happened as

alleged in the FIR and the injured was discharged from the hospital and the petitioner is ready to abide by any condition and prayed for anticipatory bail to the petitioner.

The learned Public Prosecutor submitted that on 30.09.2022, this petitioner abused the defacto complainant and assaulted him with key of the bike and the injured discharged from hospital and investigation is not yet over.

Considering the nature of the offences alleged to be committed by the petitioner/accused and though the learned Public Prosecutor objected that the investigation is not yet over, considering the fact that the injured was discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioner/accused with conditions.

In the result in the event of arrest or on his appearing before the court concerned the petitioner is ordered to be enlarged on anticipatory bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of Judicial Magistrate No.II, Padmanabhapuram subject to the following conditions:-

1. The petitioner shall appear before the court concerned within 15 days from today without fail.
2. After release, the petitioner shall appear and sign before the respondent Police daily at 10.00 A.M. until further orders.
3. The petitioner shall also make himself available before the respondent as and when required.
4. The petitioner shall not tamper with the witnesses or in any manner interfere with or put obstacle to the smooth progress of investigation.

5. The petitioner shall not leave the jurisdictional police limit without prior permission.

If there is any violation of condition, the Investigation Officer is with in his discretion to approach the court of the learned Judicial Magistrate for cancellation of bail even though bail granted by the Sessions Court as per the ruling of the Hon'ble Supreme Court reported in **P.K.Shaji /Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

Pronounced by me in open court this the 12th day of October, 2022.

Sd/-S. Arulmurugan
Principal Sessions Judge.

To
The Judicial Magistrate No.II, Padmanabhapuram.
The Inspector of Police, Thiruvattar Police Station.
The counsel for the petitioner.