

In the Court of Vacation Sessions Judge, Kanniyakumari District at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.,  
Vacation Sessions Judge./Principal Sessions Judge,  
Kanniyakumari at Nagercoil.

Thursday, the 16<sup>th</sup> day of May, 2024.

CrI.M.P. No.121/2024

(CNR.No.TNKK0V-000212-2024)

Naveen @ Easter Naveen S/o. Victor Vedha Singh

.. Petitioner

/Vs./

Inspector of Police,

Boothapandy Police Station,

Crime No.77/2024 of Boothapandy Police Station,

Rep. by P.P. Nagercoil.

.. Respondent

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

ORDER

The petitioner/accused alleged to have been committed the offence u/s  
294(b), 323, 324, 341 and 506(ii) of IPC.

The case of the prosecution is that there was a previous enmity between  
the defacto complainant and the petitioner and on 14.04.2024 at about 3.30 P.M., this  
petitioner along with 3 other accused wrongfully restrained the informant and used  
filthy language against him and assaulted him with stick and hand and caused injury  
and A1 also attempted to stab the informant with knife 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 with a view to wreak vengeance and the injured was discharged from the hospital and the co-accused/A3 and A4 were released on anticipatory bail by the Principal Sessions Court, Nagercoil in CrI.M.P. No.2278/2024, dated 24.04.2024 and the petitioner is ready to abide by any condition and prayed for anticipatory bail to the petitioner.

The learned Public Prosecutor opposed the application and submitted that there is a previous enmity between the defacto complainant and the petitioner and other accused and on 14.04.2024 this petitioner and three other accused waylaid the defacto complainant and assaulted him with stick and hand and A1 attempted to stab the defacto complainant with knife and the injured was discharged from the hospital and A3 and A4 were granted anticipatory bail by the Principal Sessions Court, Nagercoil on 24.04.2024 in CrI.M.P.No.2278/2024 and the investigation of the case is not yet over and in the event of considering this application, the same condition is to be imposed.

Considering the nature of the offences alleged to have been committed by the petitioner/accused and also considering the fact that the injured was discharged from the hospital and the co-accused were granted anticipatory bail by the Principal sessions Court, Nagercoil on 24.04.2024, 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, Boothapandy 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 16<sup>th</sup> day of May, 2024.

Vacation Sessions Judge.

To  
The Judicial Magistrate, Boothapandy. (through e-mode)  
The Inspector of Police, Boothapandy Police Station.  
(through court cell e-mode)  
The counsel for the petitioner.

