



Crl.O.P.No.14719 of 2023

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G.CHANDRA SEKHARAN, J.

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The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under **Sections 294(b), 324, 354, 379 and 506(ii) of IPC**, in Crime No.119 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that the petitioners and the defacto complainant are relatives and there is some dispute with regard to enjoyment of common path way. In the said dispute, a false complaint was given. Apprehending arrest, this petition is filed.

3. In response, the learned Government Advocate (Crl. Side) opposed this petition stating that, in a property dispute, the petitioners had beaten the defacto complainant and that, the defacto complainant was attacked by the 1st accused with sickle. The Defacto complainant was discharged from the hospital.



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Crl.O.P.No.14719 of 2023

4. Considered the submissions and perused the records.

5. Considering the fact that in a property dispute, the incident happened and now the injured was discharged from the hospital, this Court is of the view that, custodial interrogation of the petitioners is not necessary. Therefore, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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 on which the order copy made ready, before **the learned Judicial Magistrate, Sirkali**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten 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:



CrI.O.P.No.14719 of 2023

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, every Saturday at 10.30 a.m., until further orders;

[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].



Crl.O.P.No.14719 of 2023

[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 229A IPC.

07.07.2023

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Crl.O.P.No.14719 of 2023

G.CHANDRA SEKHARAN, J.

ksa-2

Crl.O.P.No.14719 of 2023

07.07.2023