



Crl.OP.No.14977 of 2023

Dr.G. JAYACHANDRAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323 and 506(i) of IPC in Crime No.273 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The *de-facto* complainant and the accused belong to the same village. The First Information Report indicates that while the *de-facto* complainant was traveling in the bus, a lady who belongs to his village was also traveling and there was some quarrel between him and the lady. As a consequence, the lady has called her relatives from home and they came and attacked the *de-facto* complainant, snatched his chain and broke his cell phone worth Rs.38,000/-. There is a counter case also, which has been registered by the police against the *de-facto* complainant. The petitioners herein are name in the First Information Report registered for the offences under Sections 294(b), 323 and 506(1) of IPC

3. The learned counsel for the petitioner states that since the *de-facto*



complainant and the accused belong to the same village they have compromised the issue.

4. The learned Government Advocate (Crl.side) states that if the petitioners cooperate with the investigation, there may not be need to arrest them and submits that petitioners are still absconding and therefore, they are unable progress the investigation.

5. Taking note of the facts and circumstances and the submissions made by both counsel, 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 seven days from the date of receipt of a copy of this order, before the ***Judicial Magistrate Court Cheyyur*** on condition that each of the petitioners shall execute a separate 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 learned Magistrate concerned and on further conditions that:



(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the Investigating Officer daily at 10.00 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 are 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]*; and



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(f) if the accused thereafter absconds, a fresh
FIR can be registered under Section 229-A IPC.

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