



Crl.O.P.No.16419 of 2023

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**G.CHANDRASEKHARAN, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 341, 324, 307 of IPC in Crime No.213 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that, the victim had murdered the brother of the A1. There is previous enmity between the victim and the deceased/brother of A1. The allegation that on 22.05.2023, the accused had assaulted the victim with deadly weapon and caused injuries is not correct. Apprehending arrest in Crime No.213 of 2023 registered for the offences under Sections 294(b), 341, 324, 307 of IPC, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, due to previous enmity, in connection with murder of A1's brother, these petitioners along with other accused in this case, on 22.05.2023, at about 08.15 hrs, near Thava canal, in Maamandur grave yard, assaulted the victim with deadly weapons.



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The injured has been treated and discharged. The co-accused has been granted bail by this court in CrI.O.P.No.16471 of 2023 on 24.07.2023.

4. Considering the fact that injured has been treated and discharged and that substantial part of the investigation is completed, this Court is inclined to grant anticipatory bail to the petitioners for the reason that custodial interrogation of the petitioners is not necessary.

5. Accordingly, 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, Cheyyar**, on condition that each of the petitioners shall execute a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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



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condition that:

[a] 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., until further orders.**

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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].



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**G.CHANDRASEKHARAN, J.**  
mpl

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

**27.07.2023**

mpl

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