



Crl.O.P.No.19204 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 324, and 506(ii) of I.P.C, in Crime No.196 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 01.06.2023, the de-facto complainant stand near ration shop, the accused persons abused the de-facto complainant with filthy language and also attacked him with bare hands. When the de-facto complainant's grandmother tried to pacify the quarrel between them. The accused persons attacked her and also intimidated the de-facto complainant with dire consequences. Hence the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) for the respondent would submit that the anticipatory bail was granted by the lower Court, but the petitioner has failed to execute the sureties. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side and the anticipatory bail was granted by the lower Court, but the petitioner has failed to execute the sureties, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, **petitioners are directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.196 of 2023, within a period of six weeks from the date on which the order copy made ready**, the petitioner is 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 Court, Sendamangalam**, on condition that



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the petitioner 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:

[a] the petitioner 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 petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten thousand only) to the credit of Crime No.196 of 2023, before the concerned Magistrate, within a period of six weeks from the date on which the order copy made ready.**

[c] **the petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;**

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during



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investigation or trial.

[f] 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]**.

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

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