



Crl.O.P.No.23156 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners seek anticipatory bail in Crime No.481 of 2023 registered by the respondent Police for the offence under Sections 294(b), 323, 324 and 506(ii) of IPC.

2.The case of the prosecution is that there is a dispute between the petitioners and the defacto complainant with respect to removal of stones by a JCB vehicle.

3.It is stated by the the learned counsel for the petitioners that the petitioners had also given a complaint against the defacto complainant which had registered as Crime No.482 of 2023. It is also stated that a civil suit is also pending between them.

4.Taking into consideration all these facts, this Court is inclined to grant anticipatory bail to the petitioners.

5.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, Dharapuram, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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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 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 1 and 2 shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation; the third petitioner shall report before the respondent Police as and when required for interrogation;

[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



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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]**;

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

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