



Crl.O.P.No.23856 of 2023

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WEB CO **C.V.KARTHIKEYAN, J.**

The petitioners/A2 and A4 seek anticipatory bail in Crime No.139 of 2023, registered for the offence under Sections 294(b), 323 and 506(i) IPC.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondent.

3.It is stated that the petitioners herein and also the de facto complainant are relatives and they had been dispute over the property which escalated into violence leading to registration of an FIR. It is also contended that the petitioners herein had also given a complaint in which FIR in Crime No.138 of 2023 had also been registered by the respondent. In view of all these facts, anticipatory bail is granted to the petitioners/A2 and A4.

4.Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

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



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Judicial Magistrate No.II, Jayankondam, on condition that each of 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 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 1st petitioner (A2) to appear before the respondent police every day at 10.30 am., for a period of two weeks and the 2nd petitioner (A4) to appear before the respondent once in a week for a period of two weeks and thereafter as and when required by the respondent police 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



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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]**.

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

30.10.2023

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