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Crl.O.P.No.23578 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.553 of 2023 registered by the respondent Police for the offences under Sections 147, 148, 341, 324, 363 and 506(ii) and 307 IPC.

2.The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case. Thus, he seeks grant of anticipatory bail to the petitioners.

3. It is stated that all the petitioners are neighbours/relatives. It is also stated that 1st petitioner had taken a contract in Judges colony at Noombal Village for earth filling and for that particular purpose he had taken sand and was mining the sand. It is stated that an altercation had taken place at that particular point of time. When the defacto complainant complained that illegal mining was taking place, there was a quarrel which escalated into violence and necessitating lodging of complaint, counter complaint and registration of two separate First Information Reports.



Crl.O.P.No.23578 of 2023

WEB COPY

4. In Crime No.552 of 2023, I granted anticipatory bail to the accused.

The petitioners herein are the accused in Crime No.553 of 2023 registered on the basis of the complaint given by the accused in Crime No.552 of 2023.

5. In view of the fact and circumstances, I am inclined to grant anticipatory bail to the petitioners with 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 fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, No.II, Poonamallee**, on condition that the petitioners 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



CrI.O.P.No.23578 of 2023

Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police 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 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;

08.11.2023

4/4

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WEB COPY



CrI.O.P.No.23578 of 2023

4/4