



Crl.O.P.No.23654 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/ A1 and A2 herein seek anticipatory bail in Crime No.255 of 2023 registered by the respondent Police for the offence under Sections 294(b), 323, 324, 506(ii) of IPC.

2. The learned counsel for the petitioners stated that, they have been falsely implicated as accused in this case. Apprehending arrest from the respondent police, he seeks bail to the petitioners.

3. The learned Government Advocate (Criminal side) stated that, there was a dispute with respect to purchase of land. Defacto complainant said to have given Rs.1 lakh to the 1st petitioner. However, the 1st petitioner neither purchased the land nor returned back the money. Therefore, there was a quarrel between them, which escalated into violence. Thus, he prays for dismissal of this petition.

4. In view of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



Crl.O.P.No.23654 of 2023

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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 District Munsif cum Judicial Magistrate, Valapady**, on condition that 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] (i) the petitioners 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.

[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



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Crl.O.P.No.23654 of 2023

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;

13.10.2023

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