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Crl.O.P.No.23768 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.118 of 2023 registered by the respondent Police for the offences under Sections 147, 148, 294(b), 307, 324, 323 and 379 IPC.

2. The learned counsel for the petitioners stated that the petitioners are innocent persons and they have been falsely implicated in a case in Crime No.118 of 2023 registered by the respondent Police for the offences under Sections 147, 148, 294(b), 307, 324, 323 and 379 IPC, with respect to an occurrence which had taken place on 30.08.2023. It is further stated that the petitioners had already given complaint against the defacto complainant and others which had been registered as First Information Report in Crime No.117 of 2023. Thus, he seeks anticipatory bail to the petitioners.

3. It is stated by the learned Government Advocate (Crl.Side) that the 1st petitioner had borrowed a sum of Rs.10,00,000/- from one Sakthi on executing a sale deed of 2.01 acres in 2016. Thereafter, he did not repay the



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money. Subsequently, the defacto complainant purchased the said land from Sakthi for Rs.20,00,000/-. This had led to quarrel among the parties which escalated into violence.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners with certain 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 Judicial Magistrate No.2, Attur**, 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.



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[b] (i) the petitioners shall report before the respondent police everyday 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;

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