



Crl.O.P.No.24757 of 2023

Crl.O.P.No.24757 of 2023

C.V.KARTHIKEYAN, J.

It is stated that the respondent police station is wrongly mentioned as Eruvanchery Police Station instead of Gudvasal Police Station. While issuing order copy, the Registry is directed to correct the respondent police station as Gudvasal Police station.

2. The petitioners herein seek anticipatory bail in Crime No.398 of 2023 registered by the respondent Police for the offences under Sections 294(b), 324 and 506(ii) IPC.

3. The learned counsel for the petitioners stated that they have been falsely implicated as accused in this case. They are innocents. The petitioners had also given a complaint against the defacto complainant. Thus, he seeks anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal side) stated that there was a quarrel while taking a dead body for a funeral, which escalated into violence. Thus, he prays for dismissal of this petition.



CrI.O.P.No.24757 of 2023

WEB COPY

5. Taking into consideration of all the factors, this Court is inclined to grant anticipatory bail to the petitioners with certain 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 District Munsif-cum-Judicial Magistrate, Nannilam**, 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] the petitioners shall report before the respondent Police, daily at 10.00 a.m., for a period of two weeks and thereafter, as and when required for



CrI.O.P.No.24757 of 2023

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 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;

31.10.2023

gd



WEB COPY



Crl.O.P.No.24757 of 2023

C.V.KARTHIKEYAN, J.

gd

Crl.O.P.No.24757 of 2023

31.10.2023