



Crl.O.P.No.24475 of 2023

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

The petitioners seek anticipatory bail in Crime No.549 of 2023, registered by the respondent Police for the offence under Sections 294, 325 and 506(ii) IPC.

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

3.The petition is dismissed as against the petitioner nos.1 and 3 since, though they had been secured, the learned Magistrate had refused to remand and bail had been granted. With respect to petitioner no.2, it is stated that the intervenor/de facto complainant had a relationship with the wife of the petitioner No.1, owing to which, there was a quarrel which escalated into violence. The learned counsel for the intervenor stated that the petitioner herein had entered into the shop of the de facto complainant and there is also a life threat. However, taking these factors into consideration, anticipatory bail is granted to the 2nd petitioner.

4. Taking into consideration the facts and circumstances, the petition stands **dismissed insofar as the 1st and 3rd petitioners are concerned.** Insofar as the **2nd petitioner is concerned, anticipatory bail is granted.**



WEB.COM

5. Accordingly, the 2nd petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.I, Namakkal**, on condition that the petitioner shall execute a 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 petitioner 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 2nd petitioner **shall report before the respondent police every day at 10.30 am., for a period of two weeks** and thereafter **as and when required** for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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



WEB COPY



action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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

2/2

kp



WEB COPY



C.V.KARTHIKEYAN, J.

kp

Crl.O.P.No.24475 of 2023

30.10.2023

2/2