



Crl.OP.No.25633 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A4 & A5, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 399 IPC, in Crime No.192 of 2023, on the file of the respondent police seek anticipatory bail.

2.The learned counsel for the petitioner stated that the petitioners are innocent persons and they have been falsely implicated in this case. Thus, he seeks anticipatory bail to the petitioners.

3.It is stated that A1, A2 & A3 had been arrested and granted bail. It is stated that the petitioners herein/A4 & A5 have no previous cases against them. It is the case of the respondent that the respondent had registered the FIR on secret information that at the Cricket Ground of Eddaiyanchavadi village, there was preparation for committing dacoity. The petitioners herein ran away from the scene of occurrence, but A1, A2 & A3 had been arrested. Thus, he prayed for dismissal of this petition.



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4.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

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 **Judicial Magistrate, Vannur**, 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 Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily morning at 10.00 a.m., until further orders.

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



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[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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