



WEB COPY



Crl.O.P.No.26270 of 2023

C.V.KARTHIKEYAN, J.

The petitioners are A3 and A6 in Crime No.65 of 20203, registered under Section 399 IPC on 3.11.2023.

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

3.It is stated that all the accused persons were sitting in a white Honda Car without any registration number and the respondents suspected that they were preparing to commit dacoity. A1 and A2 had been arrested and are still in custody. A5 had been granted anticipatory bail. It is stated A4 is absconding but there are no previous cases against the petitioners herein. In view of that particular fact, anticipatory bail is granted.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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, Gudalur**, on condition that each of 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 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 10.30 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 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.

20.11.2023

kp



WEB COPY



C.V.KARTHIKEYAN, J.

kp

Crl.O.P.No.26270 of 2023

20.11.2023