



Crl.O.P.No.27164 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A2 and A3 seek anticipatory bail in Crime No.532 of 2023 registered by the respondent Police for the offences punishable under Section 306 of IPC.

2. It is stated that the earlier application had been dismissed as withdrawn. It is the case of the prosecution that the defacto complainant, wife of the deceased had stated that on 05.08.2023, a neighbour had asked help to relieve himself and after he came back, the deceased had accidentally laid hands on a minor child which led to an altercation. Consequent to that, her husband committed suicide. The matter had come up for consideration on 30.11.2023 and it had been noted that A4 and A5 had been arrested and granted bail. It had also been noted that A1 was still absconding. It is today informed by the learned Government Advocate(Criminal Side) that A1 had been arrested. That is a significant change in circumstances.

3. In view of that particular fact, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is 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



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copy made ready, before the **Judicial Magistrate, Chengam**, 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 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for the 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



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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 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.

14.12.2023

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