



Crl.O.P.No.27852 of 2023

WEB COPY

C.V.KARTHIKEYAN, J.

The petitioners/A1-A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506 Part II of IPC in Crime No.514 of 2023, seeks anticipatory bail.

2.It is stated that the petitioners had put up a construction in poramboke land and while measuring the land, the surveyor had put up stones in the adjacent land, which belonged to the defacto complainant. This led to a quarrel, which escalated into violence.

3.The previous anticipatory bail petition was dismissed on 20.10.2023 when the injured was still in hospital. The change in circumstances that the injured has been discharged from the hospital.

4.Taking all these factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners herein.

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, Cheyyur, on condition that the petitioner



WEB COPY

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 1st 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 and the 2nd and 3rd petitioners shall report before the respondent on every Monday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for 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



WEB COPY



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.

13.12.2023

smv

C.V.KARTHIKEYAN, J.

smv

3/4



WEB COPY



Crl.O.P.No.27852 of 2023

13.12.2023