



Crl.O.P.No.27739 of 2023

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C.V.KARTHIKEYAN,J.

The petitioners/accused in Crime No.346 of 2023, registered by the respondent police for the offences punishable under Sections 120B, 147, 148, 294(b) and 307 of IPC, seek anticipatory bail.

2.It is stated that on 28.09.2023, the statement of the defacto complainant had been recorded when he was admitted to hospital owing to injuries suffered.

3.The learned counsel for the petitioners stated that there was an existing civil dispute between A1 on the one hand and the family members of the defacto complainant on the other hand. There is also a suit in O.S.No.534 of 2022 pending before the Sub-court, Sangari.

4.It is stated that owing to that particular civil dispute there were frequent quarrels between A1 on the one hand and the defacto complainant and his family members on the other hand, which escalated into violence. There was also earlier incidents when there was an assault, consequent to which also FIR had been registered.



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5.It is stated that on 28.09.2023, the defacto complainant had been assaulted by all the accused. He was discharged from hospital on 05.10.2023.

6.It is stated that A1 had been taken into custody on 08.11.2023 and had been granted bail by this Court in Crl.O.P.No.27527 of 2023 by order dated 07.12.2023.

7.Taking into consideration the overt act as against the petitioners herein, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions:

8.Accordingly, the petitioners are ordered to be released on anticipatory 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 No.II, Sangari**, on condition that the petitioners shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties 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



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further condition that:

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[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 everyday 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 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.

11.12.2023

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C.V.KARTHIKEYAN,J.



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