



Crl.O.P.No.27792 of 2023

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C.V.KARTHIKEYAN,J.

The petitioners/A3 to A6 seek anticipatory bail in Crime No.1141 of 2023, originally registered under Sections 174 Cr.P.C., and subsequently, altered to Sections 147, 148, 323, 324 & 306 of IPC.

2.It is the case of the prosecution that the deceased, son of the defacto complainant had lost his previous job and was working in the 1st petitioner/A1 Fish shop. On 01.11.2023, it is stated that he was taken away and he was necessarily scolded. It was complained that he had spoken derogatorily about the wife of A1. That being the motive, all the accused had joined together and had in turn, scolded and abused him. Aggrieved by the same, it is stated that he had committed suicide. When he was called upon for enquiry by the Sooramangalam Police Station, wherein, the petitioners herein had given a complaint against the deceased.

3.Taking all the factors into consideration and that which was the result of an earlier act of the deceased in speaking about the wife of A1, I am inclined to grant anticipatory bail to the petitioners herein



Crl.O.P.No.27792 of 2023

subject to the following conditions:

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4. 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 – II, Salem**, 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 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 everyday at 10.30 a.m., until further orders.



Crl.O.P.No.27792 of 2023

[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.

12.12.2023

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