



Crl.O.P.No.27904 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioners/A3 and A4 in Crime No.865 of 2023 registered by the respondent police for the offences under Sections 147, 148, 341, 294(b), 323, 324 and 506(ii) IPC, seek anticipatory bail.

2. It is stated by the learned Government Advocate (Criminal Side) that on 31.10.2023, the petitioners and the other accused, are said to have assaulted the defacto complainant owing to a quarrel in a petrol bulk as to whose vehicle has to be filled with the petrol first. He also stated that the accused A1 and A2 had been arrested and had granted bail.

3. The learned counsel for the Petitioners stated that the Petitioners have been falsely included in this criminal case. Thus, he prays for anticipatory bail to the Petitioners herein.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on



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their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the District Munsif-cum-Judicial Magistrate Court, Gummudipoondi**, on condition that the petitioners 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 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.



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[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.

13.12.2023

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