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CrI.O.P.No.28217 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A1 and A4 in Crime No.389 of 2023 registered under Sections 294(b), 323, 506(ii) IPC and Section 4 of Women Harassment Act, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (CrI.side) for the respondents.

3.It is stated that the petitioners and the de facto complainant are relatives and have an existing property dispute owing to which O.S.No.66 of 2010, was filed before the Sub Court at Rasipuram. Taking all the factors into consideration, anticipatory bail is granted.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners/A1 and A4 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days



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from the date on which the order copy made ready, before the learned **Judicial Magistrate No.I, Attur**, on condition that the petitioners each 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/A1 and A4**, to appear before the **respondent police as and when required for investigation.**

[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



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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.

18.12.2023

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