



Crl.O.P.No.28108 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners in Crime No.475 of 2023, registered under Sections 147, 294(b), 323, 324, 427 and 506(ii) IPC, seek anticipatory bail.

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

3.It is stated that the petitioners had also given a complaint against the de facto complainant. The petitioners and the de facto complainant are neighbours and there was a dispute owing to digging of a pit. There is also a civil suit in O.S.No.515 of 2023, which is pending before the District Court at Salem. 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 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**



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Magistrate No.I, Sankari, 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 **1st and 3rd petitioners** to appear before the respondent **everyday at 10.30 a.m.**, for a period of **two weeks** and **the 2nd, 4th and 5th petitioners to appear before the respondent once a week at 10.30 am., for a period of two weeks** and thereafter all the accused to appear before the respondent **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.



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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.

18.12.2023

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