



Crl.O.P.No.28526 of 2023

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C.V.KARTHIKEYAN, J.

Petitioners seek anticipatory bail in Crime No.479 of 2023, registered under Sections 294(b), 323, 324 and 506 (ii) IPC, with respect to an occurrence which took place on 03.12.2023.

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 and the de facto complainant are room-mates. There was a quarrel over seeking borrowal of a motorcycle which was sought and was refused. This escalated into violence. 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 **Judicial Magistrate Court, Gangayam**, 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** to appear before the **respondent everyday at 10.30 a.m., for a period of two weeks** and thereafter **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.

[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**



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Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

21.12.2023

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