



Crl.O.P.No.28633 of 2023

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C.V.KARTHIKEYAN, J.

The matter is listed today under the caption “for being mentioned”.

2.The learned counsel appearing for the petitioners stated that mistakes have crept in the order passed by this Court vide order dated 21.12.2023. Accordingly, he prays for appropriate orders.

3.In view of the above statement so made by the learned counsel for the petitioners, the order dated 21.12.2023 is to be read as follows:

“The petitioners seek anticipatory bail in Crime No.395 of 2023, registered under Sections 294(b), 323, 324 and 506(ii) IPC.

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

3.It is stated that the de facto complainant is a mason who was putting up a compound wall around the boundary of a School. That particular School was used as a pathway and owing to putting up of a compound wall, a dispute arose which 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 No.I, Attur**, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 police once a week at 10.30 a.m, for a period of three 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 Kerala [(2005)AIR SCW 5560]**;*

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

4.Registry is directed to carry out the necessary corrections in the order dated 21.12.2023 and re-issue a fresh order copy.

5.Time is extended for a period of two weeks from today to execute the sureties.



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