



Crl.O.P.No.28770 of 2023

Crl.O.P.No.28770 of 2023

C.V.KARTHIKEYAN, J.

The Petitioner in Crime No.774 of 2023 registered by the Respondent Police for the offences under Section 294(b), 323 and 324 IPC, seeks anticipatory bail.

2. It is stated by the learned Government Advocate (Criminal Side) that the Petitioner and the defacto complainant are brothers and they have an existing property dispute. This dispute had escalated into violence. Hence, this case.

3. The learned counsel for the Petitioner stated that the Petitioner had not committed any offences as alleged by the Respondent Police. Thus, he prays for grant of anticipatory bail to the Petitioner herein.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions. Accordingly, the Petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order



Crl.O.P.No.28770 of 2023

copy made ready, before **the Judicial Magistrate, Thirukazhukundram**, on condition that the petitioner shall execute a 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 petitioner 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 petitioner shall report before the Respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for the interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the



CrI.O.P.No.28770 of 2023

WEB COPY

learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

22.12.2023

mkn2



WEB COPY



CrI.O.P.No.28770 of 2023

C.V.KARTHIKEYAN, J.

mkn2

CrI.O.P.No.28770 of 2023

22.12.2023