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CrI.O.P.No.3469 of 2024

C.V.KARTHIKEYAN, J.

The petitioners/A1, A2 and A3 who apprehend arrest at the hands of the respondent police for the offences punishable under Section 457 and 380 of IPC in Crime No.45 of 2024 on the file of the respondent, seek anticipatory bail.

2.It is stated that all the accused had broken the main door of the house of the defacto complainant and stolen one door, one washbasin, two tube lights and one syntex water tank. It is also stated that all the properties had been recovered and there is no previous case against the petitioners. It is stated that A2 had been arrested and is still in custody.

3.Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners.



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4. 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 Magistrate, Omalur, on condition that each one of the petitioners 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 shall report before the respondent police 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.



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[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.

16.02.2024

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