



Crl.O.P.No.5394 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioners/A1 and A2 in Crime No.80 of 2024 registered by the respondent police for the offences under Sections 294(b), 323 and 506(ii) IPC, seek anticipatory bail.

2. The learned counsel for the Petitioners stated that the petitioners and the defacto complainant are relatives and there is a dispute over property. At the time of taking down coconuts, that dispute had escalated into violence.

3. The learned counsel for the Petitioners stated that the Petitioners have been falsely implicated in this case and they had not committed any offence. Thus, he prays for grant of anticipatory bail to the Petitioners herein.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioners with certain conditions. 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



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which the order copy made ready, before **the Judicial Magistrate No.1, Sankari**, on condition that 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 conditions 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 petitioner shall report before the respondent police once in a week i.e., on every Saturday at 10.30 a.m. for a period of two weeks and thereafter, as and when required for the interrogation and the 2nd petitioner shall report before the respondent police as and when required for the 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.

12.03.2024

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