



Crl.O.P.No.7440 of 2024

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C.V.KARTHIKEYAN, J.

The petitioners/A1 to A3 seek anticipatory bail in Crime No.81 of 2024 registered by the respondent Police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC.

2. It is contended that there was a counter case given by these petitioners against the defacto complainant. The petitioners and the defacto complainant are adjacent land owners and there is a dispute over pathway between them. This dispute escalated into violence. Since the second petitioner had been arrested, this petition stands dismissed as against the second petitioner.

3. However, taking all the other factors into consideration this Court is inclined to grant anticipatory bail to the first and third petitioners with certain conditions. Accordingly, the first and third 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 No.2, Sankari**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum to the



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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 first and third petitioners shall report before the respondent police 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]**.



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

26.03.2024



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26.03.2024