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Crl.O.P.No.12696 of 2024

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S.SOUNTHAR, J.

The petitioners herein seek anticipatory bail in Crime No.82 of 2024 registered by the respondent Police for the offences under Sections 147, 148, 294(b), 323, 324, 352 and 506(ii) of IPC.

2. The case of the prosecution is that the defacto complainant is the JCB operator of TDRS construction. On the date of occurrence, they had a road contract from vanapuram to Odiyenthal village. The petitioners along with others interrupted their work and thereby a wordy quarrel arose between them resulting him in sustaining injuries. Hence, the complaint.

3. The learned counsel for the petitioners stated that the petitioners are innocent persons and they have been falsely implicated in Crime No.82 of 2024 registered by the respondent Police for the offences under Sections 147, 148, 294(b), 323, 324, 352 and 506(ii) of IPC. Earlier, A1 has already granted anticipatory bail before this Court vide order dated 23.05.2024. Thus, he seeks anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) would submit that injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking all the factors into consideration, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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, Sankarapuram**, 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 condition that:

[a] the petitioners and the sureties shall affix



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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 10.00.a.m., until further orders.

[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;

29.05.2024

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