

Crl.O.P.No.28772 of 2014**P.N.PRAKASH, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(B), 294(b), 307, 323, 354(A), 354, 420, 497 and 506(ii) of IPC read with Section 4 of Women Harassment Act in Crime No.10 of 2014 on the file of the respondent police, seeks anticipatory bail.

2.The learned counsel for the petitioner submits that the petitioner has nothing to do with the alleged offences.

3.Heard the learned Government Advocate (Crl. Side).

4.The case of the prosecution is that the defacto complainant was married to the petitioner 15 years back and he took away the minor children from her custody. Based on the direction under Section 156(3) Cr.P.C., the case has been registered by the respondent police.

5.It appears that this is a matrimonial dispute between the parties. In such circumstances, I am inclined to grant anticipatory bail to the petitioner.

6.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 of

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receipt of a copy of this order, before the learned Judicial Magistrate No.1,

Udumalpet 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 and on further condition that:

[a] 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 interrogation.

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

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

[d] On breach of any of the aforesaid conditions, the 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]**.

07.11.2014

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