

Crl.O.P.No.10793 of 2016

B.GOKULDAS, J.

The petitioners/A4 and A5, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294[b], 323, 324, 307, 302 and 506[ii] of IPC in Crime No.218 of 2016 on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that there was a quarrel between the petitioners and the de facto complainant's family and they have been falsely implicated in this case.

3. The learned Government Advocate (Crl.side) represented that due to previous enmity, there was a quarrel between the petitioners and the de facto complainant's family, due to which, the de facto complainant's father sustained injuries and died. Out of 5 accused in Cr.No.218 of 2016, A1 and A2 were arrested and remanded to judicial custody on 24.04.2016.

4. Heard the learned counsel on either side.

5. Considering the submissions on either side, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned District Munsif-cum-Judicial Magistrate No.I, Ulundurpet, Villupuram District, on condition that

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the petitioners 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 1st petitioner [Sivagami], being a lady shall appear before the respondent police only on summons; in respect of the 2nd petitioner, he shall report before the respondent police daily at 10.30 a.m. till further orders;

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioners 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 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]**.

25.05.2016

mps/gya

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