

CRL.O.P.No.10818 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 494, 506(i), 109 of IPC and Section 4 of DP Act in Crime No.4 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard both sides.

3. The case of the prosecution is that the first petitioner/husband of the defacto complainant had married another woman illegally with the help of the other petitioners and hence, a case has been registered against the petitioners.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the offences and they are having permanent residence. He further submitted that the marriage between the first petitioner and the defacto complainant took place in the year 2008 and the defacto complainant left her matrimonial home within four months from the date of her marriage and they are falsely implicated in this case and therefore, the petitioners may be granted anticipatory bail.

5. Taking note of the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners 2 to 4 and insofar as the first petitioner is concerned, being husband of the defacto complainant, this petition is dismissed. Accordingly, the petitioners 2 to 4 are ordered to be released on bail in the event of their arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, **before the learned Judicial Magistrate, Alandur** on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each 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 and on further conditions that:

[a] the petitioners 2 to 4 shall report before the respondent police as and when required for interrogation.

[b] the petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners to 2 to 4 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 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 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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