

Crl.O.P.No.10877 of 2016

B.GOKULDAS,J.,

The petitioners, who are arrayed as A1, A7 and A8, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324, 363 and 506(ii) IPC in Crime No.164 of 2016 on the file of the respondent police, seek anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that on money dispute, the petitioners along with other accused are alleged to have abducted the husband of the defacto complainant in a TATA Sumo and assaulted him inside the vehicle and left him on their way by threatening him.

4. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and the petitioners are apprehended on the basis of the confession given by the other accused. He would further submit that some of the co-accused have been arrested and released on bail.

5. The learned Government Advocate (Crl.side) represented that totally there are 10 accused involved in this case and so far, two persons were arrested and the other accused are yet to be procured. He would further submit that the names of the petitioners are found place in FIR and investigation in this case is still pending.

6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that the co-accused have been already released on bail, 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

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kkd/msr

this order, before the **learned Judicial Magistrate No.I, Chengalpattu**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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

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