

Crl.O.P.No.11156 of 2016**B.GOKULDAS,J.,**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 376 IPC in Crime No.65 of 2016 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner alleged to have sexual intercourse with the defacto complainant by giving false promise that he will marry her but later refused to marry her, resulting in the registration of the case.

3. The learned counsel for the petitioner submits that the petitioner has nothing to do with the alleged offence and he has been falsely implicated in this case.

4. Heard the learned counsel on either side.

5. Taking into consideration the facts and circumstances of the case, this Court is to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his 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, Pochampalli**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Ten Thousand only) with two sureties each for a like sum to the satisfaction of the

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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. till further orders;

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

[b] 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]**.

25.05.2016

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