

Crl.O.P.No.11554 of 2016

S.VAIDYANATHAN, J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC and Section 4 of Women Harassment Act in Crime No.178 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. The petitioners are arrayed as A3 and A4. The case of the prosecution is that in a wordy quarrel, the petitioners along with other accused are alleged to have assaulted the defacto complainant and caused injury and abused her in a filthy language and threatened her with dire consequences.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any such offence and that the defacto complainant has lodged false complaint against the petitioners and that this is a case in counter lodged by the defacto complainant.

4. The learned Government Advocate (Crl. Side) submitted that the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and taking note of the fact that the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial

S.VAIDYANATHAN, J.

vrc

Magistrate, Jayamkondam, on each of them executing a bond for a sum of Rs.10,000/- (Rupees ten Thousand Only) with two sureties each for a like sum to the 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 appear 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 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]**.

08.06.2016

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