

Crl.O.P.No.11799 of 2016

S.VAIDYANATHAN, J.

Apprehending arrest at the hands of the respondent police for alleged offences punishable under Section 498(A) IPC in Crime No.13 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. The defacto complainant is the wife of the petitioner. The case of the prosecution is that due matrimonial dispute between the petitioner and the defacto complainant, she had lodged a complaint against the petitioner.

3. The learned counsel for the petitioner submitted that false complaint has been lodged against the petitioner and the H.M.O.P.No.1515 of 2016 is pending between the petitioner and the defacto complainant before the Family Court, Chennai.

4. Heard the learned Government Advocate (Crl. Side) for the respondent.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner with the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, on his executing a bond for a sum of Rs.10,000/- (Rupees Ten

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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 petitioner shall report 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 petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] 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]**.

10.06.2016

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