

CRL.O.P.No.12536 of 2016

S.VAIDYANATHAN, J.

Apprehending arrest at the hands of the respondent police for alleged offence punishable under Section 306 IPC in Crime No.312 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. The first petitioner is the father-in-law, second petitioner is mother-in-law and the third petitioner is sister-in-law of the deceased. The case of the prosecution is that the petitioners along with first accused are alleged to have harassed the deceased and committed cruelty on her. Unable to bear the harassment of the petitioners, the deceased committed suicide.

3. The learned counsel for the petitioners submitted that false complaint has been lodged against the petitioners and they have not committed any such offence.

4. The learned Government Advocate (Crl. Side) opposed for grant of anticipatory bail to the petitioners on the ground that investigation is pending in this case and if the petitioners are released on anticipatory bail they will tamper the witnesses and hinder investigation.

5. The allegation against the petitioners is that they abetted the deceased to commit suicide. Whether the ingredients of Sections 306 and 107 of IPC is attracted or not is the matter for investigation/trial. Taking note of the fact that custodial interrogation may not be required at this stage and considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners with the following conditions.

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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 Magistrate II, Salem, 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 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 at 10.30 a.m. until 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]**.

21.06.2016

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