

CRL.O.P.No.12704 of 2016

S.VAIDYANATHAN, J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 326 and 506(i) IPC in Crime No.142 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. The petitioner is arrayed as A2. The petitioner and the defacto complainant are relatives. The case of the prosecution is that due to civil dispute, in a wordy quarrel, the petitioner along with other accused is alleged to have attacked the defacto complainant and caused injuries and abused her in a filthy language and threatened her with dire consequences.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and he has not committed any such offence.

4. The learned Government Advocate (Crl. Side) on instructions 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 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 Judicial Magistrate, Gudiyatham, 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 conditions 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]**.

21.06.2016

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