

Crl.O.P.No.12917 of 2016**S.VAIDYANATHAN, J.**

Apprehending arrest at the hands of the respondent police for alleged offence punishable under Section 366(A) IPC and Section 9 of Prohibition of Child Marriage Act 2006 in Crime No.147 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioners are alleged to have helped the first accused to kidnap the minor victim girl and to conduct the marriage of the first accused with the victim girl.

3. The learned counsel for the petitioners submitted that the first accused and the victim girl had love affair and the father of the victim girl has lodged a false complaint against the petitioners and the first accused and that the petitioners have not committed any such offence. He further submitted that the first accused in this case has already been arrested and remanded to judicial custody.

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

5. Considering the facts and circumstances of the case and taking note of the fact that the first accused has already been arrested and remanded to judicial custody, I am inclined to grant anticipatory bail to the petitioners with the following conditions.

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

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date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Namakkal, on their 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 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]**.

21.06.2016

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