

CRL.O.P.No.14641 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 3(1), 4(1), 5(1)(b), 5(1)[c], 6(1)(A) of ITP Act in Crime No.421 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3.The case of the prosecution is that the petitioner along with the other accused had committed the above said offence in their recreation club.

4.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that co-accused have been granted anticipatory bail by this Court.

5.Learned Government Advocate (Crl. Side) submitted that the accused 1 and 2 were arrested and remanded into the judicial custody.

6.Considering the facts and circumstances of the case and also taking note of the fact that the prime accused 1 and 2 were arrested and remanded into the judicial custody and also considering the fact that co-accused have been granted anticipatory bail, this Court is of the view that custodial interrogation of the petitioner is not necessary at this stage and is inclined to grant anticipatory bail to the petitioner.

S.VAIDYANATHAN, J.
DP

7. Accordingly, the petitioner is ordered to be released on bail in the event of their arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate No.V, Coimbatore, subject to the following conditions:**

(i) the petitioner shall execute 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 Magistrate concerned;

(ii) the petitioner shall report before the respondent police at **10.30 a.m.**, for a period of two weeks and thereafter as and when required for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial.

(v) on breach of any of the aforesaid conditions, the 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 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]**.

21.07.2016

DP

CRL.O.P.No.14641 of 2016