

Crl.O.P.No.14954 of 2016

S.VAIDYANATHAN, J.

The petitioners apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 498(A), 406 of I.P.C read with 4 of Women Harassment Act, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that a wordy quarrel arose between the petitioners and the defacto complainant, due to a family dispute.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent strongly objected for granting anticipatory bail to the petitioners.

5.Considering the above facts and circumstances of the case, as the issue in hanf pertains to a family dispute, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are 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, Nannilam, subject to the following conditions:**

(i) each of the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees ten thousand only) each with two sureties**, 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 1st petitioner shall report before the respondent police on all Saturdays and Sundays at 10.30 a.m., till 31st August 2016. The 2nd and 3rd petitioners shall report before the respondent police as and when required for interrogation.

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

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(iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

18.07.2016

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