

CRL.O.P.No.15061 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Section 306 IPC in Crime No.397 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

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

3. The case of the prosecution is that A1 one Balamurugan eloped with one Mageswari three years before and after that, the parents of A1 and Mageswari got compromised. On 26.6.2016, both of them went to complainant's house and after returning to their house, the next day on 27.6.2016 committed suicide.

4. It is the case of the petitioners that they are only the parents of the A1 and they are nothing to do with the offence.

5. Learned Government Advocate (Crl. Side) submitted that the prime accused A1 was remanded to judicial custody.

6. Considering the facts and circumstances of the case and also taking note of the fact that the prima accused has been already arrested and whether the offence attracts ingredients under section 306/107 IPC has got to be decided by the trial court after completion of investigation this Court is of the view that custodial interrogation of the petitioners is not necessary at this stage. **Therefore, this Court is inclined to grant anticipatory bail to the petitioners.**

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7. 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 Additional Mahila Court, Salem, **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) 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 petitioners shall report before the respondent daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

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

(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]**.

19.07.2016

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