

CRL.O.P.No.15743 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 304(B) and 306 IPC in Crime No.165 of 2014 on the file of the respondent police, 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 petitioner is the brother of the husband of the deceased. The case of the prosecution is that the petitioner along with other accused are alleged to have harassed the deceased and the deceased, unable to bear the harassment of the accused, committed suicide by hanging.

4. Learned Counsel for the petitioner submitted that the petitioner has not committed any such offence and he has been falsely implicated in this case.

5. Learned Government Advocate (Crl. Side) submitted that absconding charge sheet has been filed in this case as against the petitioner and 5 others and the case is pending in P.R.C.No.9 of 2015 before the Judicial Magistrate No.I, Ulundurpettai, Villupuram District.

6. Considering the facts and circumstances of the case and also taking note of the fact that the case is pending in P.R.C.No.9 of 2015, **this Court is inclined to grant anticipatory bail to the petitioner.**

7. Accordingly, the petitioner is ordered to be released on bail in the event of his 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.I, Ulundurpettai, Villupuram District subject to the following conditions:**

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(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 **Judicial Magistrate No.I, Ulundurpettai on all hearings without fail.**

(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. The petitioner shall not leave Tamilnadu.

[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]**.

8. The Judicial Magistrate No.I, Ulundurpettai is expected to conduct the proceedings on a day-to-day basis, without adjourning the case beyond four working days at any point of time and after the case is committed, the Sessions Judge is also expected to follow the same pattern for adjournment and dispose of the case, as early as possible.

28.07.2016

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