

CrI.O.P.Nos.1932, 1057 and 1060 of 2016

K.KALYANASUNDARAM,J.

The petitioner in CrI.O.P.No.1932 of 2016, who is arrayed as first accused; the petitioners in CrI.O.P.No.1057 of 2016, who are arrayed as accused 3,4,5,9,12 and 13 and the petitioners in CrI.O.P.No.1060 of 2016, who are arrayed as accused 6,10 and 11, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 174 Cr.P.C. and subsequently altered to Section 306 of IPC, in Crime No.31 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the deceased, who is the husband of the defacto complainant, was having a love affair with a lady, due to which, a panchayat was conducted, in which, he was directed to give a portion of his property to the lady. Subsequently, a dispute arose between A1, A2 and the deceased, due to which, on 09.03.2015, all the accused had gone to the house of the deceased and scolded him with filthy language and further threatened him with dire consequences for settling property. So, he committed suicide by consumed poison on 09.03.2015.

3.The learned counsel appearing for the petitioners submitted that the first accused is a lady aged about 27 years and other accused are villagers. He further submitted that admittedly, the first accused lodged a complaint

against the deceased for harassment, for which, enquiry was conducted. While so, he committed suicide on 09.03.2015, for which, the petitioners have been falsely implicated in this case. He further submitted that the petitioners are innocents and they have not committed any such offence as alleged by the prosecution and the petitioners are respectful persons in their area and they are ready to co-operate with the investigation.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the wife of the deceased is the defacto complainant in this case and as per her statement, all the accused had gone to the house of the deceased on 09.03.2015 and scolded and also threatened him with dire consequences, due to which, he had committed suicide by consuming poison.

5.Considering the above facts and circumstances of the case 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 arrest or on their appearance before the learned Judicial Magistrate, No.I, Kallakurichy, and on each of them 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 learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioners shall comply with the condition stipulated under

Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

02.03.2016

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K.KALYANASUNDARAM,J

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Crl.O.P.Nos.1932,1052 and

1060 of 2016

02.03.2016

