

Crl.O.P.No.6114 of 2016**S.VIMALA. J.**

The petitioner, who is arrayed as A-7, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 366(A) IPC r/w 109 IPC, in Crime No.61 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the first accused kidnapped the daughter of the de facto complainant on 04.02.2016 with the active assistance and help of the accused 2 to 7.

3. The learned counsel for the petitioner submitted that the first accused and the daughter of the de facto complainant are studying in the same college and she eloped with the first accused on her own volition. He further submitted that the petitioner is falsely implicated in this case. It is further submitted that the accused 2 to 6 have already been granted anticipatory bail by this Court.

4. The learned Government Advocate [Criminal side] appearing for the respondent submitted that it is a case of love affair and the victim, aged about 17 years, is yet to be secured.

5. Considering the above facts and circumstances of the case and also considering the fact that the accused 2 to 6 have already been granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Uthangarai on condition that 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned 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 learned 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]**.

24.03.2016

rrg

S.VIMALA.J.,

rrg

Crl.O.P.No.6114 of 2016

24.03.2016

