

CRL.O.P.No.14002 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 366(A) IPC and Sec.9 r/w.Section 9 r/w.Sections 10 & 11 of Protection of Child Marriage Act, 2006 and Sec.3 r/w.4 of POCSO Act, 2012 in Crime No.112 of 2016 on the file of the respondent police, the petitioner/A4 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 case of the prosecution is that the petitioner along with other accused persons kidnapped the minor daughter of the de-facto complainant and helped A1 to marry her and hence, a case has been registered.

4.Learned Counsel for the petitioner submitted that the petitioner has not committed any such offence and he is no way connected with the said offence as alleged by the prosecution.

5.Learned Government Advocate (Crl. Side) submitted that petitioner along with other accused kidnapped the minor girl of the de-facto complainant and arranged marriage to her with A1. He further submitted that prime accused was arrested in this case.

6.Considering the facts and circumstances of the case and also taking note of the fact that prime accused has been arrested, **this Court is inclined to grant anticipatory bail to the petitioner.**

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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 **learned Fast Track Mahila Court, Namakkal**, subject to the following conditions:

(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 respondent police **daily at 10.30 a.m.** for a period of four weeks and thereafter as and when required for interrogation.

(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.

[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]**.

05.07.2016

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