



Crl.O.P.No. 17787 of 2022

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WEB CO **G.K.ILANTHIRAIYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 313, 376, 506(i) of IPC and 5(i) r/w Section 6 of POCSO Act, 2012 in Crime No. 14 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had fell in love with the victim girl. On the pretext of marriage, they had physical relationship. Thereafter, the petitioner refused to marry the victim and got married to another girl. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the matter has been referred to the mediation for amicable settlement between the parties. The parties have settled the dispute amicably before the mediation and they have also entered into a Settlement of Agreement dated 25.08.2022. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Considering the above, this Court is inclined to grant anticipatory bail to the petitioner 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



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from the date on which the order copy is made ready, before the learned District Mahila Judge (Fast Track Court), Thiruvallur, 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, failing which, the petition for anticipatory bail shall stand dismissed and **the Settlement Agreement shall form part and parcel of this order** and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

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

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

[e] 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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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