



CrI.O.P.No.19393 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 376 and 313 of IPC in Crime No.22 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that, on the pretext of marriage, A1 had physical relationship with the victim girl. As she had become pregnant, A1 made her to terminate her pregnancy and later refused to marry her. Hence, the complaint.

3. There are totally two accused, in which the petitioner is arrayed as A2. A1 fell in love with the victim girl and had physical relationship. Due to which, she got pregnant. Thereafter, with the help of the petitioner, her pregnancy was terminated on two occasions. A1 was already arrested and released on bail.

4. Considering the above fact and circumstances of the case, this



Crl.O.P.No.19393 of 2022

Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 on which the order copy made ready, before the **learned Judicial Magistrate, Tittakudi** 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 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 daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.



Crl.O.P.No.19393 of 2022

WEB COPY

[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]**.

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

17.08.2022

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Crl.O.P.No.19393 of 2022

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Crl.O.P.No.19393 of 2022

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