



CrI.O.P.No.20939 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 366 of IPC @ 366 & 341 of IPC read with 6, 17 of POCSO Act in Crime No.24 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 08.07.2022, the *de-facto* complainant's daughter was found missing. Hence, the complaint.

3. A1 is none other than the maternal uncle of the victim girl. Initially, they fell in love and thereafter, A1 sought the permission for marrying the victim girl. However, it was refused by the parents of the victim girl. On the instructions of the victim girl, she eloped and had physical relationship with the A1. Thereafter, on the complaint, she was produced before the concerned Court. On perusal of the statement recorded under Section 164 of Cr.P.C. revealed the same. The petitioner herein is arrayed as A2 and he is a friend of A1. He has nothing to do



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with the alleged allegation and he assisted the A1 only in their elopement.

4. Considering the above fact and circumstances of the case, this 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 – Gingee, Thiruvannamalai** 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



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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]**.

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

02.09.2022

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