



CrI.O.P.No.20968 of 2022

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G.K.I.LANTHIRAIYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 5(I), 5(j)(ii) r/w 6 of Protection of Children from Sexual Offence Act, 2012 and Section 9, 10 of Prohibition of Child Marriage Act 2006 in Crime No. 177 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the 1st accused had fell in love with the victim girl. Both were eloped and the 1st accused married the victim girl. Now, the victim girl is five months pregnant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and no way connected with the alleged offence. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that there are totally five accused, in which the petitioners are arrayed as A2 to A5. A1 is the main accused and he was already arrested



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and remanded to judicial custody. A2 and A3 are parents of A1 and A4 and A5 are uncle and aunty of A1. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Magalir Neethi Mandram (Fast Track Mahila Court), Erode on condition that each of the petitioners shall execute a separate 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 petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may



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obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

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

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

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