



Crl.O.P.No.22461 of 2022

A.D.JAGADISH CHANDIRA,J.

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 451, 366, 5(1), 6 and 17 of POCSO act, in Crime No. 700 of 2022, seek anticipatory bail.

2. The case of the prosecution is that in this case, the 1st accused had kidnapped the minor victim girl and committed penetrative sexual assault on her. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are the parents of A1 and they were not aware of the love affair between the 1st accused and the victim girl. He would further submit that 1st accused and victim girl had eloped. On the complaint given by the parents of the victim girl, a case has been registered. He would further submit that A1 has been arrested and victim girl has been secured and later, he was enlarged on bail. Other than being the parents of the petitioner, there is no specific allegations as against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the



respondent police would submit that the petitioners are the parents of the 1st accused. He would further submit that the victim girl has been secured and A1 has been enlarged on bail. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail 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 made ready, before the **learned Special Judge for POCSO Cases, Cuddalore** on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each 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



Crl.O.P.No.22461 of 2022

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 petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

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

[d] the petitioners 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.

19.09.2022

nr



WEB COPY



Crl.O.P.No.22461 of 2022

A.D.JAGADISH CHANDIRA,J.

nr

Crl.O.P.No.22461 of 2022



WEB COPY



Crl.O.P.No.22461 of 2022

19.09.2022