

**Crl.O.P.No.29307 of 2022**

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 363 of IPC @ 366 (A) and Section 6 of Protection of Children from Sexual Offences Act, 2012 in Cr.No.198 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that this petitioner had love affair with the daughter of the defacto complainant. On 14.10.2022, the defacto complainant gave a complaint that this petitioner had taken away her daughter. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he would pray for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) has submitted that the petitioner had love affair with the daughter of the defacto complainant.



On 14.10.2022, the victim girl was missing. During the course of investigation, the girl was secured and now she is with her parents. The statement under Section 164 was also recorded from the victim girl. Investigation is almost completed. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the submission made by the learned Government Advocate (Crl.Side), this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned ***Principal District Judge, Puducherry***, 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 and on further conditions that:



(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 every Monday and Saturday at 10.30 a.m. for a period of three months and thereafter, before the trial court on all hearing dates without fail:

(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 anticipatory 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

07.12.2022

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