

Crl.O.P.No.30163 of 2022

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 363, 366, 366(A) of IPC, 5(l), 6 (1) of POCSO Act and 9, 10 of Child Marriage Act, 2006 in crime No. 37 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. It is the case of the prosecution is that the defacto complainant lodged complaint before the respondent police stating that his daughter was missing. Thereafter, they came to know that victim girl was eloped with one HariBakar/A1 and took asylum and she was secured. As per her confession report the First Information Report was altered and petitioner was impleaded as accused.

4. It is seen that the first accused was secured and the Statement Under Section 164 of Cr.P.C was recorded. Therefore, this Court is inclined to grant anticipatory bail to the petitioner.



5. 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 ***Judicial Magistrate Court – II, Hosur***, 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 condition 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 daily at 10.30 a.m. for a period of four weeks and thereafter, 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 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.

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