

Crl.O.P.No.31235 of 2022

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Girl Missing and subsequently, it was altered into 366 IPC in Cr.No.103 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that A1 had a love affair with the victim girl, who aged about 16 years and the victim girl had eloped with him and got married. The further allegation is that the petitioners, who are the father and uncle of A1 are alleged to have helped A1 to marry the victim girl. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioners are innocent persons and they have been falsely implicated in this case. He would submit that A1 and A2 were already arrested and released on bail by the learned Principal District and Sessions Judge, Vellore, Vellore District in Crl.M.P.No.3338 & 3339 of 2022 dated 02.11.2022. Hence, he prays to grant anticipatory bail to the petitioners.



WEB COPY

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that it is a case of love affair. Thereby, the victim girl had eloped with A1 and got married to him. The allegation is that the petitioners, who are the father and uncle of A1 are alleged to have helped A1 to marry the victim girl. He would further submit that the minor victim girl has been secured and that the investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and that it is a case of love affair and that the victim girl has been secured, this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.II, Thiruppathur** on condition that 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 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 Court concerned 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 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 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;

T.V.THAMILSELVI, J.

anu



WEB COPY

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

20.12.2022*anu*CrI.O.P.No.31235 of 2022