

Crl.O.P.No.627 of 2023

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 363, 342 IPC altered into under Section 363, 342 IPC and Section 5(1) r/w Section 6 of POCSO Act in Cr.No.700 of 2020 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 18 years. It is alleged that the victim girl eloped with A1 with the help of the petitioners who are none other than the parents of A1. Hence, the case.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have been falsely implicated in this case. He would submit that the petitioners are only parents of A1 and they are no way connected with alleged offence. Hence, he prays to grant anticipatory bail to the petitioners.



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, who aged about 18 years had eloped with A1 to his house. The allegation is that the petitioners, who are the parents of A1 have helped him. He would further submit that the minor victim girl has been secured and that the investigation is completed. He would further submit that a statement under Section 164 Cr.P.C., has been recorded from the victim girl. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. On a perusal of the statement under Section 164 Cr.P.C., and it revealed 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 **District Mahila Judge (Fast Track Court), Thiruvallur** 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 first petitioner shall report before the respondent police every Saturday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation. Asfar as the second petitioner is concerned, she shall appear 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;



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

12.01.2023

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