

Crl.O.P.No.3149 of 2023**T.V.THAMILSELVI, J.**

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The petitioners who apprehend arrest for the alleged offence under Sections 354, 354 A(2), 354 D, and 506(ii) I.P.C., and Section 12 of Protection of Child from Sexual Offences Act, 2012 and Section 4 of TNPWH Act in Crime No.2 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners/A1 and A2 along with other accused teased and made a sexual harassment to the defacto complainant's daughter/victim. Hence, the Law Enforcing Agency registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submit that petitioners have not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) appearing for the respondent submits that the petitioners forwarded and teased the defacto complainant's daughter and he further submits that the investigation has been completed.



5. Considering the facts and circumstances of the case and also the submissions made by the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent, this Court is inclined to grant anticipatory bail to the petitioners 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 of receipt of a copy of this order, before the learned ***Mahila Court, Thiruvallur***, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, with two sureties **(out of which, one surety must be blood related surety)** 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 on every Sunday at 10.30 A.M., for a period of three months and thereafter, as and when required for interrogation;



(c) the petitioners shall file an affidavit before the concerned Court stating that they will not have any communication with the victim girl;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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]*; and;

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

13.02.2023

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To
The Mahila Court,
Thiruvallur.



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