



Crl.O.P.No.6268 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.2 of 2023, registered under Sections 6, 5(i), 5(j)(ii) of Protection of Children from Sexual Offences Act, 2012, with respect to an occurrence which took place on 03.03.2022, the FIR was registered on 08.01.2023.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

3.My learned predecessor had directed the parties to appear before the respondent and it is informed that they did so appear. The victim child has also given birth to a child. It is also stated that final report had been filed but one significant fact is that the issue is between the petitioner and the victim child appeared to be a little conciliatory in nature and they are in amicable terms. Let me not enter into any further discussion but since investigation has been completed, taking all these factors into consideration, anticipatory bail is granted to the petitioner.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Mahila (Fast Track**



Crl.O.P.No.6268 of 2023

Court), Namakkal, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner appear before the concerned **Mahila Court, Namakkal from the date of which summons is received, every day** till the victim child is examined as a witness **and also on every hearing date and thereafter, after the examination of the victim child as directed by the said Mahila Court.**

[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



CrI.O.P.No.6268 of 2023

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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 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

15.11.2023

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