



Crl.O.P.No.8157 of 2023

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S.SOUNTHAR, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 366 (A) IPC & 5 (1) r/w.6 of POCSO Act and 9, 10 of PCM Act in Crime No.37 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are the parents of A1. The victim girl fell in love with A1 and A1 eloped her and also got married in front of the petitioners herein. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and the petitioners and the victim girl are relatives and that a false case has been foisted against them. It is further stated that A1 was already arrested and released on bail. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that A1 was arrested and released on bail. The petitioners herein are the parents of A1. He further submits that 164 statement was recorded from the victim girl. However, he opposed for



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grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Having regard to the allegations made in the FIR against the petitioners and also on perusal of the 164 statement of the victim girl,, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 on which the order copy made ready, before the **learned Special Court for POCSO Act, Coimbatore**, on condition that the petitioners shall execute bond for a sum of Rs.10,000/- (each) (Rupees Ten Thousand only) with **two sureties** 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 petitioners 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.



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[b] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter 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 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.

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