



Cr1.O.P.No.11527 of 2023

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K.KUMARESH BABU, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 366(A) of IPC r/w Section 5(I) of POCSO Act, in Crime No.168 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 01.02.2022, the minor girl of the de-facto complainant had been forcefully taken by the petitioner without the consent of her parents. Hence, the de-facto complainant lodged a complaint against the petitioner. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected to the said offence and he had been in love relationship with the victim girl. Her parents had not accepted the same and she went to her relative place to reside. The parents of



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the victim suspecting on the petitioner, had lodged the complaint.

Her parents got her married to another person. The petitioner is ready to abide by any condition that may be imposed by this Court.

4. The learned Government Advocate (Cr1. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of



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fifteen days from the date on which the order copy made ready, before the **learned District Court of POSCO, Cuddalore**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate shall obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation until further orders.

[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.



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[e] On breach of any of the aforesaid conditions, the 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 petitioner 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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