



Crl.O.P.No.13874 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Section 5(l) r/w Sections 6, 16, 17 & 21 (1) of POCSO Act, in Crime No.18 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that petitioner is falsely implicated in a case, where, accused Manojkumar had sexually abused the victim girl. He further submitted that petitioner is innocent and thus, seeks anticipatory bail for the petitioner.

3.In response, the learned Government Advocate (Crl.Side) submitted that first accused was arrested and released on bail. Allegation against this petitioner is that despite knowing that first accused had sexually abused the victim girl, she had not taken any steps to prevent his act or intimated the incident to the authorities. Further, Section 164Cr.P.C. statement of the victim girl is also recorded. Thus, he prays for dismissal of this petition.



CrI.O.P.No.13874 of 2023

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4. Section 164 Cr.P.C. statement shows that the victim girl had spoken about the sexual harassment made by the accused Manojkumar. The allegation against this petitioner is that when the victim girl informed the act of Manojkumar, she did not take any action. She also stated that the mental condition of the petitioner is not well. Petitioner used to beat the victim girl and in turn, the victim girl would also beat her.

5. In the said circumstances and that the first accused was arrested and released on bail, this Court is of the view that custodial interrogation of the petitioner is not necessary and this Court is inclined to grant anticipatory bail to the petitioner. Therefore, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Mahila Court, Perambalur**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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



CrI.O.P.No.13874 of 2023

shall stand dismissed and on further condition that:

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[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 shall report before the respondent police everyday at 10.30 a.m., 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.

[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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Crl.O.P.No.13874 of 2023

03.08.2023



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Crl.O.P.No.13874 of 2023

G.CHANDRASEKHARAN. J.

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Crl.O.P.No.13874 of 2023

03.08.2023