



Crl.O.P.No.14227 of 2023

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G.CHANDRASEKHARAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under **Sections 417, 376(2)(n), 294(b) and 506(1) of IPC in Crime No.10 of 2023** on the file of the respondent police, seek anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that petitioners are parents of A1. They have nothing to do with the love affair between A1 and the *de-facto* complainant. Apprehending arrest in Crime No.10 of 2023 registered for the offences under Sections 417, 376(2)(n), 294(b) and 506(1) of IPC, this petition is filed by the petitioners.

3. In response, learned Government Advocate (Criminal side) submitted that A1 and the *de-facto* complainant had love affair. As a result *de-facto* complainant got pregnant. The foetus was growing in the fallopian tube and therefore, it was required to be removed by a surgical treatment on 20.06.2021. When that was informed to A1, he promised to marry her. Later, he retracted from his commitment. The allegations against the petitioners is that they



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threatened the *de-facto* complainant and made abusive remarks. A1 was arrested and remanded to judicial custody.

4. Considering the nature of the offence alleged against the petitioners and also the fact that the main accused was arrested and remanded to judicial custody, this Court is of the view that, custodial interrogation of the petitioners is not necessary and 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 Judicial Magistrate, Polur, Tiruvannamalai District**, on condition that the each of the petitioners shall execute a separate 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 shall stand dismissed and on further condition that:



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[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.

[b] the 1st Petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders and 2nd petitioner shall report before the respondent police 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].



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

18.07.2023

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