



Crl.O.P.No.14605 of 2023

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G.CHANDRASEKHARAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under the caption 'Girl Missing' @ to Sections 343, 363, 365, 366, 376(1) and Section 4 (1) of POCSO Act, 2012, in Crime No.50 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. It is the submission of the learned counsel for the petitioner that the first accused and victim girl were in love with each other and they had gone out of the house in pursuit of their marriage. The only allegation against the petitioner is that he gave shelter to the first accused. He further submitted that the first accused has been granted anticipatory bail by this Court in Crl.O.P.No.7626 of 2023, dated 25.04.2023.

3. In response, the learned Government Advocate (Crl.Side) submitted that it is a case of elopement in a love affair. The allegation against the petitioner is that he is the uncle of the accused and gave shelter to them.



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4.Considering the nature of the offence where the petitioner is said to have given shelter to the accused and also the fact that the first accused was already granted anticipatory bail, this Court is of the view that the petitioner can also 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 Mahila Court, Tiruvallur**, 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 shall report before the respondent police everyday at 10.30 a.m., until further orders;



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[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.

03.07.2023

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