



Crl.OP.No.20408 of 2023

Crl.O.P.No.20408 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner seeks anticipatory bail in Crime No.17 of 2023 registered by the respondent police for the offence punishable under Sections 7 and 8 of Protection of Children from Sexual Offences Act,2012. Both the petitioner/accused and victim girl are adolescents in an age where they had taken a very rash decision and also expect that everybody should understand the decisions taken by them.

2. It is however seen that no forcible aggravated sexual offence have been committed. It is stated that the petitioner had appeared on protection being granted by this Court before the respondent. Now, they have realized their responsibilities. Let investigation continue and let the respondents establish the offence in the manner known to law. The petitioner is a College Student and the victim girl is also according to the learned counsel had crossed the age of 18 years.



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3.The learned counsel for the Intervenor is present.

4. Heard both sides and perused the materials available on records including F.I.R.

5. In view of the above facts, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to 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 *learned Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Chennai*, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, **out of which, one surety must be a belated surety, either the mother or father of the petitioner herein**, 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



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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., for a period of two weeks and thereafter as and when required for interrogation.

[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]**.



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

7. Till the settlement is reached, it is also imperative that it should be entered into the College Records of the petitioner herein about the registration of the F.I.R in Cr.No.17 of 2023 under Sections 7 and 8 of POCSO Act.

19.10.2023

Vv



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