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Crl.O.P.No.23373 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A4 who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 11(1), 12 of the Protection of Children from Sexual Offences Act r/w Sections 294(b) and 506(i) of IPC in Crime No.215 of 2023, seeks anticipatory bail.

2.It is stated that there are totally four accused and they had jointly teased the victim girl, who is the daughter of the defacto complaint and her friend, while returning back from the school and when the brother of the victim girl questioned about the same, the accused persons abused and threatened him with dire consequences.

3.It is contended by the learned counsel for the petitioner that the petitioner is studying in college. It is also contended that one of the accused had been granted bail by the Fast Track Mahila Court in Crl.M.P.No.1292 of 2023 dated 21.08.2023.

4.Taking into consideration the fact and circumstances of the case,



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4. 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 Fast Track Mahila Court, Dharmapuri, 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 the two sureties one of the surety must be either the father or mother of the petitioner**, 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.



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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the fact that execution of sureties must also be informed by the learned Magistrate to the college where the petitioner is studying and it should be recorded in the Register of the college.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

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

11.10.2023

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