



Crl.O.P.No.28647 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A2 to A5 seek anticipatory bail in Crime No.22 of 2023 registered by the respondent Police for the offences punishable under Sections 9 and 11 of Prohibition of Child Marriage Act & Section 5(1) 5(j)(ii), 6(I) of POCSO Act.

2. They are parents of the victim child and the parents of A1/husband of the victim child.

3. The statement under Section 164(5) Cr.P.C. of the victim child has been recorded and a copy was forwarded for the perusal of this Court.

4. Taking all these factors into consideration and also the nature of statement recorded, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, 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 **Special Court for the exclusive trial of POCSO Act Cases,**



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Dharmapuri, on condition that the petitioners shall execute a separate 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 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 first and third petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for the interrogation and the second and fourth petitioners shall report before the respondent police once a week i.e., every Saturday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for the interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[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]**.

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

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