



CrI.OP.No.2991 of 2024

CrI.O.P.No.2991 of 2024

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C.V.KARTHIKEYAN,J.

The petitioners/A1 and A4 in Crime No.1 of 2024 registered by the respondent police for the offences punishable under Sections 8 and 21 of the POCSO Act and 294(b), 355, 506(ii) of IPC and Section 75 of the Juvenile Justice Act seek anticipatory bail.

2. It is the case of the prosecution that the defacto complaint, victim child, had alleged that she was asked to work in the place of the petitioners herein at Vepery. The first petitioner had misbehaved with him during the course of work. The statement of the victim child under Section 164(5) Cr.P.C and the Court had benefited of perusing the same.

3. Let me not enter into any further discussion. This Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:



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4. 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 *learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai* on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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 petitioners shall stay at Nagarkoil and report before the Vadasery Police Station, Nagarkovil on every Monday, Wednesday and Friday at 10.30 a.m., for a period of 25 days and thereafter the petitioners



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shall report before the respondent police at 10.30am., until further orders.

[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]**.

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

5. The Copy of this Order may be forwarded to the Tamilnadu State Legal Services Authority and the Member Secretary of the Tamilnadu State Legal Services Authority may examine the records in Cr.No.1 of 2024 registered by the respondent police herein and also interact with the victim child and give appropriate counselling.



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5. With the above directions, this Criminal Original Petition is
allowed.

28.02.2024

Vv

C.V.KARTHIKEYAN,J.



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