



Crl.O.P.No.3536 of 2024

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C.V.KARTHIKEYAN, J.

The petitioners/A2 and A6, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 372, 373 and 506(ii) of I.P.C, in Crime No.510 of 2023, seeks anticipatory bail.

2. A2 is the mother of A1 and A6 is the grand father of A1. A1 have filed Crl.O.P.No.3183 of 2024 seeking bail. It is the case of the prosecution that the defacto complainant had relationship with the petitioner/A1 and a child was born to her, later it is stated that efforts were taken to sell the child. When the connected matter came up for hearing before this Court the other accused had been granted relief. Two of the accused with whom the child was found, have also stated that if law permits they would take the child for adoption through legal means. Let the prosecution prove the case in the manner known to law.

3. However, taking all the other factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners, **directing the petitioners/A2 and A6 and petitioner/A1 in Crl.O.P.No.3183 of**



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2024 jointly to deposit an amount of Rs.3,00,000/- (Rupees three lakhs only) to the credit of Crime No.510 of 2023 before the learned Judicial Magistrate Court No. 1, Thirupathur.

4. Accordingly, the petitioners are 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 **learned Judicial Magistrate Court No. 1, Thirupathur** on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.



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[c] the petitioners/A2 and A6 along with the petitioner/A1 in Crl.O.P.No.3183 of 2024 shall jointly deposit a sum of Rs.3,00,000/- (Rupees three lakhs only) to the credit of Crime No.510 of 2023 before the learned Judicial Magistrate Court No. 1, Thirupathur on or before 31.03.2024 and on such deposit, the Judicial Magistrate Court No. 1, Thirupathur may hand over the said amount to the defacto complainant. The defacto complainant may utilize the amount for the maintenance of the child.. Independent of this the defacto complainant is at liberty to seek further maintenance in the manner known to law. If any competent Court grants any maintenance to the child this amount may be adjusted towards the same.

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

[e] the petitioners 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 petitioners 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**



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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.

27.02.2024

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Note: Registry to issue order copy on 27.02.2024

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