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Crl.O.P.No.4284 of 2024

T.V.THAMILSELVI, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under **Sections 294(b), 353, and 506(i) of IPC and Section 4 of Women Harassment Act, Section 3 of Child Labour Act and Section 75, 79 of Juvenile Justice Act in Crime 125 of 2024**, seek anticipatory bail.

2. The case of the prosecution is that on 09.02.2024, the defacto complainant enquired about the child labour worked in the petitioner's fishery shop, for which the respondent abused and attacked the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent persons and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in this case. Therefore, he prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. side) would submit that the child labour were rescued from the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, the child was rescued from the petitioner. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioner is 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 Judicial Magistrate, Gudiyatham, Vellore District, 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 first petitioner shall report before the respondent police on every Saturday at 10.30 a.m for a period of three months and thereafter as and when required for interrogation.

[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 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]**.

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

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