



WEB COPY



Crl.O.P.No.8759 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), 406, 498 (A), 506(1) IPC and Section 9 (m), 9 (n), 10, 11(1), 12 of POCSO Act, 2012 **in crime No. 05 of 2024** , seeks anticipatory bail.

2. The case of the prosecution is that the first was misbehaved with his daughters and also assaulted them. When the same was informed to this petitioner, she stated that the first accused has been doing it from his childhood and she has to adjust. Further, the petitioner demanded Rs.10/- lakhs from the defacto complainant and also withdraw Rs.60 lakhs from her bank account. Hence, the case

3. Heard both sides.

4. Considering the facts of the case, the first accused is the husband of the defacto complainant and father of the victim and the statement under Section 164 Cr.P.C has been recorded, as per the statement his father used to made bad touch while he was in drunken



mode and further she stated that his father was in illegal relationship with one Rajeswari due to which there is dispute among the family members. Considering the above, the petitioner is grand mother of the victim child and the investigation is almost completed. Hence, this Court is inclined to grant anticipatory bail to the petitioner 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 Sessions Judge, Principal POCSO Court, Salem**, 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 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.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

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

[d] the petitioner 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 abscond, a fresh FIR can be registered under Section 229A IPC.

10.04.2024

pbl



WEB COPY



T.V.THAMILSELVI, J.

pbl

Crl.O.P.No.8759 of 2024

10.04.2024