



Crl.O.P.No.11577 of 2024

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C.SARAVANAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 354 D, 506(ii), 147, 148, 294(b), 323 r/w. 149 of I.P.C., and Section 9(1) r/w. 10, 11 (i) (iv) (v), 12 and 17 of POCSO Act, 2012 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.9 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner alleged to have committed the offence under POCSO Act. The petitioners 2 and 3 are the parents of the first petitioner.

3. The learned counsel for the petitioners would submit that the first petitioner himself is a victim of grievous assault by the family members of the defacto complainant/girl.



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4. In the circumstance, there shall be an order of interim protection in favour of the first petitioner till the statements are recorded from the victim girl.

5. As far as the petitioners 2 and 3 are concerned, since they are parents of the 1st petitioner, this Court is inclined to grant anticipatory bail to them with certain conditions.

6. Accordingly, the petitioners 2 and 3 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 POCSO Court, Chengalpattu, on condition that the petitioners shall execute 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:



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[a] the petitioners 2 and 3 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 2 and 3 shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioners 2 and 3 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 2 and 3 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 2 and 3 in accordance with law as if the conditions have been imposed and the petitioners 2 and 3 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.

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