



Crl.O.P.No.13714 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 7, 8, 17, 18 of Protection of Child from Sexual Offences Act, 2012 and 506(1), 34 of IPC in Crime No.03 of 2024 on the file of the respondent/police, seeks anticipatory bail.

2.The case of the prosecution is that A1 had sexually assaulted the defacto complainant and harassed her with the help of A2 to A4. Hence the complaint.

3.The learned counsel appearing for the petitioner submitted that he is the only bread winner of his family. If he is not enlarged on anticipatory bail his family may be put to irreparable loss and injury. He is ready to abide by any stringent condition imposed by this Court. He will co-operate with the trial and he also undertaken to furnish solvent sureties for his release on bail. This Court granted anticipatory bail to A2 to A4. Hence he prays to grant anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl. Side) appearing for the respondent opposed for granting anticipatory bail to the petitioners stating that the petitioner/A1 had sexually assaulted the defacto complainant and assaulted and harassed her with the help of A2 to A4. He further submitted that 164 Cr.P.C. Statement was also recorded and investigation is completed. Now the victim girl is at asylum safely. Hence he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is directed 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 Judge, Special Court for the Exclusive Trial of POCSO Act Cases, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten**



Thousand Only) with two sureties, of whom one surety should be a blood surety, each for a like sum to the satisfaction of the respondent/police or the police officer, who intends to arrest the petitioner, 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall appear before the respondent police on every Tuesday at 10.30 a.m. until further orders;

(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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/trial Judge himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;*



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*(f) if the accused thereafter absconds, a fresh FIR can
be registered under Section 229-A IPC.*

13.06.2024

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