



Crl.O.P.No.15349 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 9 and 10 of Child Marriage Act @ 5(I), 6(1) of POCSO Act r/w 9 and 10 of Child Marriage Act in Crime No.80 of 2024, seek anticipatory bail.

2. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submits that they are ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

3. Learned Government Advocate (Crl.Side) appearing for the respondent opposed this petition, stating that these petitioners are the father and mother of A1. A1 married the victim girl and made physical and sexual harassment against her. 2nd petitioner/A2, who is the mother of the A1, gave abortion tablets to the victim girl for abortion. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.



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4.Taking into consideration the facts of the case and the submissions made by the learned counsels, and also the fact that investigation in this case is almost completed, and considering the fact that A1 was already released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are ordered to be released on **anticipatory 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, Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri** , on condition that the petitioners shall execute a separate 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 stands dismissed and on further condition that:



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(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 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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

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