



Crl.O.P.No.16505 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 9, 10, 5(I), 5(j)(ii) & 6 of POCSO Act, in Crime No.4 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have performed the marriage between the victim girl and the first petitioner. Thereafter, the victim girl gave a birth of new born baby. Based on the complaint given by the Child Welfare Committee, the case was registered against the petitioners.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. Considering the facts and circumstances of the case and also



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the fact that the statement of 164 has been recorded from the victim girl, she has not stated any specific allegations against the petitioners and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners 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 is made ready, before **the learned Special Court for POCSO Act, Chennai**, on condition that each of the petitioner 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 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.



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[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 abscond, a fresh FIR can be registered under Section 229-A IPC.

15.07.2024

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