

**CrI.O.P.No.16489 of 2024****T.V.THAMIILSELVI, J.,**

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 5(j)(ii) r/w 6 of the Protection of Children from Sexual Offence Act, 2012 in Crime No.8 of 2024, on the file of the respondent police, seek anticipatory bail.

2. When the matter was came up for hearing on 19.07.2024, this Court had directed both the parties to appear before this Court on the next hearing date i.e., 29.07.2024, failing which, further orders will be passed.

3. Today when the matter is taken up for hearing, both the victim girl and the petitioner appeared before this Court and reported that they were got married and now they are ready to live in separate residence. The parents of the victim girl also appeared. The petitioner also undertakes that he will take care of the victim girl since his parents are no more.

4. The above statement is recorded.

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



recording the above statement, this Court is inclined to grant anticipatory bail to the petitioner subject to the condition that the petitioner failed to undertake the victim girl in future, the anticipatory bail granted by this Court shall stand cancelled automatically.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate No.II, Thirupathur** on condition that the petitioner shall execute a 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 Court concerned 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



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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 are released on anticipatory 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]*; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

29.07.2024

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