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Crl.O.P.No.17136 of 2024

T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 352, 354(c), 354(d), 506(ii) and 509 IPC r/w Section 7,8,11(i), 11(iv) & 12 of POCSO Act 2012, r/w Section 67 (B) of Information Technology act in Crime 12 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity the petitioners along with other accused person uploaded the photos of the petitioner and his family members on social media with obscene message. Hence, the case.

3. The learned counsel for the petitioners submit that the petitioners have been falsely implicated in this case as if they posted the obscene messages in social media and misbehaved with her minor daughters. Further, he submits that the petitioners are ready to abide any conditions. He prays to allow this petition.



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4. The learned Government Advocate (Crl. side) submits that co-accused has been arrested and released on bail.

5. Considering the facts and circumstances of the case and also the fact that the A2 /(father of A1) has already been arrested and released on bail and also there is no bad antecedents against the petitioners. Further, the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner.

6. 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 made ready, before the learned **Special judge for Exclusive Trial for POCSO Act cases, Thiruvannamalai**, on condition that 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:



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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 first petitioner shall report before the respondent police daily at 06.30p.m., until further orders. As regards the second petitioner, she shall appear before the respondent police as and when required for interrogation. Further, the petitioners shall deposit a sum of Rs.1,00,000/- to the credit of crime No. 12 of 2024 and the victim is permitted to withdraw the same.

[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]**.



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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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