



Crl.O.P.No.17094 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 294(b), 417, 420 and 506(i) of IPC, in Crime No.25 of 2024, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the first petitioner, on the false promise of marrying defacto complainant's daughter, had sexual intercourse with her and later refused to marry her. The further allegation is that the accused has also threatened her not to reveal their relationship to others or else he will upload her obscene photographs in social media. Hence the case.

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they were ignorant about the love affair of their son, and they have been falsely implicated in this case. He also submitted that the first accused has been arrested and remanded to judicial custody and he is in jail. He further submitted that the petitioners are prepared to furnish adequate



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sureties and ready to abide by any stringent conditions that may be imposed by this Court. Hence, prays for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the first petitioner had love affair with the victim girl and on the false promise of marrying her, had sexual intercourse with her. He further submitted that later, the petitioner has refused to marry her and also intimidated her that he will upload her obscene pictures in social media. He further submitted that the victim girl was secured. However, he vehemently opposed to grant bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Sirkali***, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, 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 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 Court concerned 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;

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[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 has been imposed and the petitioners are 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]***; and;

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

22.07.2024

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