



Crl.O.P.No.17444 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), 406, 506(2) of IPC r/w Section 4 of TNPHW Act, in Crime No.30 of 2024, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that the petitioners are innocent persons, who have been falsely implicated in this case as it is alleged that the first petitioner sexually abused the victim girl, by promising to marry her, and the family members of the first petitioner abused the defacto complainant, for which, a false complaint has been foisted against the petitioners. He further submitted that they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, prays for grant of bail to the petitioners.



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3. Learned counsel for the intervenor raised an objection stating that the defacto complainant had joined an internship with the first petitioner and had an affair with him, for which, she had sexual intercourse with him.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that A1 is the Government Doctor, A2 and A3 are the parents, A4 is the sister and A5 is the brother-in-law and all are family members of the first petitioner. He further submitted that the defacto complainant joined as an internship with the first petitioner, later they become close friends, thereafter the first petitioner gave a false promise that he would marry her, for which, he had a sexual intercourse with her. Subsequently, she came to know, that the first petitioner was already married and had one child. On the date of the incident, the defacto complainant went to the house of the first petitioner, there all the family members were abused her with filthy language and also threatened her with dire consequences. However, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioners and the learned



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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 petitioners 2 to 5 with certain conditions. **As far as the first petitioner is concerned, anticipatory bail petition is dismissed.**

7. Accordingly, the petitioners 2 to 5 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 Additional Mahila Court, Coimbatore***, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 2 to 5 and the sureties shall affix



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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 2 to 5 shall report before the respondent police as and when required for interrogation;

[c] the petitioners 2 to 5 shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 2 to 5 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 2 to 5 in accordance with law as if the conditions has been imposed and the petitioners 2 to 5 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;

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