



Crl.O.P.No.27533 of 2024

Crl.O.P.No. 27533 of 2024

WEB COPY

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 12 of the Protection of Children from Sexual Offence Act, 2012 in Crime No.0294 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner misbehaved with the minor victim girl and touched her inappropriately. Hence, the case.

3. Learned counsel for the petitioner would submit that the petitioner is having a grocery shop near the house of the victim and there was a dispute between the petitioner and the victim's mother thereby, a false complaint has been lodged against him and that the investigation has been completed.



Crl.O.P.No.27533 of 2024

WEB COPY

4. Learned Additional Public Prosecutor (Puducherry) would submit that the petitioner has inappropriately touched the minor victim girl. He would further submit that the 164 statement has been recorded and the investigation is almost over. Hence, he objects for grant of bail.

5. Heard the learned counsel and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the fact that investigation is almost over, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate - III, Puducherry**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



Crl.O.P.No.27533 of 2024

only) each 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 Magistrate 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 station everyday at 10.30 a.m, for a period of two weeks and thereafter shall appear before the respondent police as and when required until further orders.

[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 released on bail by the learned Magistrate/Trial



Crl.O.P.No.27533 of 2024

WEB COPY

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 absconds, a fresh FIR
can be registered under Section 269 BNS.

08.11.2024

kkn



WEB COPY



Crl.O.P.No.27533 of 2024

A.D.JAGADISH CHANDIRA, J.

KKN

Crl.O.P.No. 27533 of 2024

08.11.2024