

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.25809 of 2018

S.VENKATESH

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE, [RESPONDENT]
SULUR POLICE STATION,
SULUR, COIMBATORE DISTRICT
CR.NO.834 OF 2018.

For Petitioner : M/S.P.SARAVANA SOWMIYAN Advocate

For Respondent : MR.M.PRABHAVATHI ADDL.PUBLIC PROSECUTOR

For Intervener : M/S.S.M.VIDYAPATHI Advocate

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 14.10.2018 for the offences under Sections 147, 148, 341, 352, 354(D), 365, 385, 506(ii) and 511 of IPC and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 1998, in crime No.834 of 2018 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant namely one Vijayalakshmi, has preferred a complaint on 10.10.2018 against A1 and A2 along with unidentified persons that they attempted to kidnap their minor daughter at the knife point. The petitioner is the wife of A1. After the complaint, this petitioner came to know about the illicit affairs of her husband(A1) with the defacto complainant. Since the defacto complainant snapped the relationship with A1, A1 and A2 extorted money from the defacto complainant by threatening her stating that the photos containing defacto complainant and A1 will be uploaded in the facebook and A1 threatened that he will kill the defacto complainant and her child if she refuses to live together. On 10.10.2018 when the defacto complainant went to pick up her daughter, A1 along with unidentified persons tried to kidnap the defacto complainant and her daughter and the same was thwarted by intervention of school securities. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner's name was not found in the FIR and he was working under A1. He would further submit that there is absolutely no previous motive as against the deceased. He would further submit that the petitioner is incarceration from 23.08.2018.

4.The learned Government Advocate (Crl. Side) would submit that A1 and the defacto complainant was having some illegal relationship for some years back. A1 and A2 developed some relationship with the defacto complainant and they started to extract money from the defacto complainant by blackmailing and threatening her by stating that they will post photographs through Internet and thereafter, they started to threaten the defacto complainant on various occasions. Accordingly, she prayed for dismissal of the petition.

5.Considering the facts and circumstances of the case, and also taking note of the fact that the petitioner is in incarceration from 23.08.2018, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i)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 learned Judicial Magistrate Court, Sulur.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m. for the period of two weeks until further orders and thereafter as and when required.

-sd/-

16/11/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
COURT, SULUR

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE[FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
SULUR POLICE STATION,
SULUR COIMBATORE DISTRICT

+1 CC to M/S.P.SARAVANA SOWMIYAN Advocate on payment of
necessary charges SR.NO. 21729

CRL OP.25809/2018

Date :16/11/2018