



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty Second day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3630 of 2019

T.VEERAPANDIAN

... PETITIONER / 1st ACCUSED

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KARUR, KARUR DISTRICT.
Crime No.4/2018

... RESPONDENT /COMPLAINANT

UMA MAHESWARI

...PETITIONER/NIL
IN CRL MP(MD)No.2699 of 2019 in
CRL OP(MD) No.3630 of 2019

For Petitioner :Mrs.D.GEETH, Advocate for
Mr. R. DIWAKARAN Advocate

For Respondent :Mr.S.CHANDRASEKAR, Additional Public Prosecutor

For Invervenor :Mr.S.GOKULRAJ Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 420 and 506(i) I.P.C., in Crime No.4 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant, the petitioner/A1 and A2 are colleagues. There was a money transaction between them. The petitioner/A1 had illegal intimacy with the de-facto complainant, video-graphed the same and threatening the de-facto complainant. Thereafter, he had collected money from the de-facto complainant and failed to re-pay the same. Hence, the de-facto complainant lodged a complaint before the Law Enforcing Agency for the offences stated above.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned counsel appearing for the petitioner submitted that the petitioner did not commit any offence as alleged by the



prosecution. In fact, the de-facto complainant sent Whatsapp messages to the petitioner/A1 and A2 and posted some videos in the Whatsapp and threatened the petitioner by demanding money. The learned counsel for the petitioner produced the same before this Court and prayed for anticipatory bail to the petitioner.

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4.The learned counsel for the Intervenor/de-facto complainant submitted that the petitioner/A1 collected huge money from the de-facto complainant by threatening her that he will post the Video in the social media and A2 also in connivance with the petitioner/A1, threatened the de-facto complainant and therefore, the de-facto complainant lodged the present complaint against them. Hence, the learned counsel vehemently opposed the grant of anticipatory bail to the petitioner.

5.The learned Additional Public Prosecutor appearing for the State submitted that though both the accused and the de-facto complainant posted videos in the social media, no videos are recovered as on date and investigation is pending.

6.Considering the facts and circumstances of the case and also considering the fact that the petitioner/A1 and the de-facto complainant have video messages and they abused each other and demanded money, this Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Karur, Karur District, on condition that 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 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 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 daily at 10.30 a.m. 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;

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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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

It is open to the Law Enforcing Agency to secure the videos from the petitioner/A1 and the de-facto complainant and destroy the same. If they are not co-operating in the investigation, this order will not stand in the way of the investigating officer conducting investigation as per law.

sd/-
22/03/2019

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Sub-Assistant Registrar (C.S-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO I,
KARUR, KARUR DISTRICT.
2. THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KARUR.
4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

- +1. CC to Mr. B.JEYAKUMAR Advocate SR.No.5367
+1. CC to Mr.S.GOKULRAJ Advocate SR.No.5388

ORDER
IN
CRL OP(MD) No.3630 of 2019
Date : 22/03/2019

TK/PN/SAR-2/27.03.2019/3P/7C