



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

Date : 08/10/2020

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.11012 of 2020

N.Rahamath Nisha

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
K.K.Nagar Police Station,
Trichy City.
Crime No.747 of 2020

... Respondent/Complainant

For Petitioner : Mr.B.Jameel Arasu,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.747 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 08.09.2020 for the offences punishable under Sections 147,342,294(b),364(a),395 r/w.397, 506(ii) of IPC r/w.Section 67 of Information Technology Act on the file of the respondent police seeks bail.

2.The case of the prosecution is that the first accused and the defacto complainant are close friends through Facebook and whatsapp and the first accused has requested the defacto complainant to come to to Trichy and thereafter all the accused persons abducted the defacto complainant and attacked him for ransom of Rs.1,00,000/- and they have also taken the nude photos of the defacto complainant and threatened him that they will upload the photos in the social media.



3.The learned counsel for the petitioner would submit that the petitioner got engaged with A2. Even though the defacto complainant contacted the first accused through social media such as facebook and whatsapp, he was contacted by other accused persons and they also warned him. While being so,a false case has been foisted against the petitioner and she has nothing to do with the alleged crime.

4. The learned Government Advocate(Crl.Side) would submit that on 11.09.2020 the defacto complainant was called by the accused persons and kidnapped him for ransom for Rs.1,00,000/- and also taken nude photos of the defacto complainant and threatened him that they will upload the same in the social media.

5.It is seen that the petitioner had relationship with the defacto complainant through social media such as whatsapp and facebook and in this regard after engagement of the petitioner it seems that the defacto complainant was threatened by the first accused and he was called by the accused persons and warned them.

6. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Trichy

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

iii)the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v)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 *Pradeep Kumar P. vs. State of Kerala* [(2005)AIR SCW 5560].

