



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

Date : 16/10/2020

PRESENT

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

CRL OP(MD). No.11599 of 2020

1. Ansari Raja
2. Asiq @ Nivash
3. Iqbal

... Petitioners/Accused No.2, 3 &
Rank Not Known

Vs

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

... Respondent/Complainant

For Petitioners : M/s.S.Vanchinathan,
Advocate.

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

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

PRAYER :-

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

ORDER : The Court made the following order :-

The petitioners/accused, who were arrested and remanded to judicial custody on 09.09.2020, 07.09.2020 and 11.09.2020 respectively for the offences punishable under Sections 147, 342, 294(b), 323, 364, 506(ii), 395, 397 of IPC and 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 Trichy and thereafter all the accused persons abducted the 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 petitioners would submit that 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 petitioners and they have 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 first petitioner had relationship with the defacto complainant through social media such as whatsapp and facebook and in this regard after engagement of the first petitioner it seems that the defacto complainant was threatened by the first accused and he was called by the accused persons and warned them. It is also stated that co-accused in this case was granted bail by this Court.

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 petitioners subject to the following conditions:

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

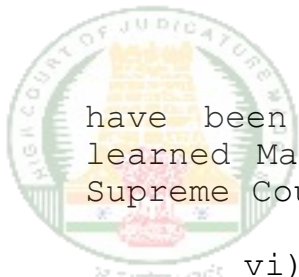
i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

ii) the petitioners 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 petitioners shall not tamper with evidence or witness.

iv) the petitioners 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 petitioners in accordance with law as if the conditions



have been imposed and the petitioners 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
16/10/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3 THE INSPECTOR OF POLICE,
K.K.NAGAR POLICE STATION, TRICHY CITY.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.11599 of 2020
Date :16/10/2020

AAV
JM/VR/SAR III/16.10.2020/3P/6C