



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Second day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.5536 & 5539 of 2021

1 SEKAR	[PETITIONERS / ACCUSED
2 PUNITHA	IN CRL.O.P.NO.5536/2021]
3 SOUNDAR RAJAN	

1 ILLAKKIYAN	[PETITIONERS / ACCUSED
2 B.PREM @ PREMKUMAR	IN CRL.O.P.NO.5539/2021]
3 K.VIMAL	

Vs

STATE REP BY	[RESPONDENT IN BOTH THE PETITIONS]
THE INSPECTOR OF POLICE,	
ALL WOMEN POLICE STATION,	
SAIDAPET,	
CHENNAI-600 015.	
(CR.NO.1/2021)	

For Petitioner : M/S.M.PREMKUMAR Advocate [IN BOTH THE PETITIONS]

For Respondent : MR.S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR
[IN BOTH THE PETITIONS]

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

ORDER : The Court Made the following order :-

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest in connection with the case in Crime No. 1 of 2021 on the file of the respondent police for the alleged offence u/s u/s 376, 417, 420, 294(b), 506(2) and 509 of IPC, seek anticipatory bail.

2. The de facto complainant is stated to be a practising lawyer. The petitioners in Crl.O.P.No.5536 of 2021 are said to be arrayed A3 to A5 while the petitioners in the other petition in Crl.O.P.No.5539 of 2021 are said to be arrayed as A2, A6 and A7 respectively. One S.Anandaraaj @ Anand Siddharth is to be arrayed as A1. The case of



the prosecution is that the de facto complainant and A1 said to have developed friendship through social media platform which later on turned into love. A1, after giving false promise that he would marry her, had physical relationship with her on multiple occasions. But, later on, A1 had refused to marry her. When she questioned the same, A1 along with his friends, the petitioners herein abused her in filthy language, insulted her modesty, criminally intimidated her and also spread false information about her modesty on social media platforms.

3. The learned counsel for the petitioners would submit that the petitioners are innocent of the alleged offence and they have been falsely implicated in the case. The petitioners are ready to abide by any condition that may be imposed by this court in the event of granting anticipatory bail.

4. The learned Additional Public Prosecutor would stoutly oppose the petition for granting anticipatory bail stating that investigation is pending.

5. Considering the fact that the petitioners are friends of A1 and the allegation is only against A1 and also on considering the other facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions :-

a) Accordingly, the petitioners in both petitions are ordered to be released on bail, in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before **(*)the learned IX Metropolitan Magistrate, Saidapet, Chennai**, on each of them executing 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] 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.

[c] the petitioner shall report before the respondent as and when required by the police for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 himself /Trial Court as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

With the above directions, this Criminal Original Petitions are ordered.

-sd/-
22/03/2021

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.

(*) Being mentioned (Amended) Time is extended for a further period of two weeks for executing the sureties, from the date of receipt of a copy of this Order. as per order of this Court dated 31/03/2021. Made in Crl.O.P.NOS.5536 & 5539/2021.

TO

**(*) THE METROPOLITAN MAGISTRATE,
NO.IX, SAIDAPET, CHENNAI.**

2 THE METROPOLITAN MAGISTRATE,
NO.XI, SAIDAPET, CHENNAI.

3 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SAIDAPET,
CHENNAI.

CC to M/S.M.PREMKUMAR Advocate on payment of necessary charges

CRL OP.5536 & 5539/2021

Date :22/03/2021