



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CrI.O.P.No.12245 of 2021

Ashok Kumar

... Petitioner

Vs.

State by
The Inspector of Police
Porayar Police Station,
Nagapattinam District.
(Crime No.208 of 2021)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.208 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.R.Kannan

For Respondent : Mr.C.E.Pratap
Government Advocate CrI. side

ORDER

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 77 of Juvenile Justice Act and 506(1) of I.P.C., in Crime No.208 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. There are totally three accused in this case and the petitioner is arrayed as A2. The case of the prosecution is that as per the defacto complainant, the petitioner and other accused persons have used the minor son of the defacto complainant, taken his photos of smoking and drinking liquor in the cell phone and blackmailed him and extorted a sum of Rs.80,000/- (Rupees Eighty Thousand Only) and jewels from the minor boy. Hence, the law enforcing agency registered a case against the petitioner and other accused.

3. The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he is falsely implicated in this case and co-accused has already released on bail by this Court in CrI.OP.No.11079 of 2021. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submits that the petitioner and other accused persons have used the minor son of the defacto complainant, taken his photos of smoking and drinking liquor in the cell phone and blackmailed him and extorted a sum of



Rs.80,000/- (Rupees Eighty Thousand Only) and jewels from the minor boy. Hence, he vehemently opposed to grant of anticipatory bail to the petitioner

5. Considering the fact that co-accused has already been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is 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 District Munsif cum Judicial Magistrate, Tharangambadi 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 Court concerned 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;

(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.

-sd/-
15/07/2021

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.



1 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THARANGAMBADI.

2 THE CHIEF JUDICIAL MAGISTRATE,
NAGAPATTINAM DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
PORAIYAR POLICE STATION,
NAGAPATTINAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/SR.KANNAN Advocate on payment of necessary charges

CRL OP.12245/2021

Date :15/07/2021

INBA 29/07/2021