



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 08/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.15321 of 2021

WEB COPY

Sujithra,

... Petitioner/Accused No.2

Vs

State Rep by,
The Inspector of Police,
All Women Police Station,
Keeranur,
Pudhukottai District.
(Crime No. 5/2021)

... Respondent/Complainant

For Petitioner : MR.K.Jeyamohan,
Advocate.

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 5 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested on 15.09.2021 for the offences punishable under Sections 354D & 506(1) of IPC and Section 67B of IT Act, r/w. 354D, 506(1) IPC, Section 67B of IT Act and Sections 11(v) r/w. Section 12 of Protection of Children from Sexual Offences Amendment Act, 2019, in Crime No.5 of 2021, seeks bail.

2. The case of the prosecution is that the daughter of the defacto complainant is aged about 16 years and she is pursuing her 11th standard in a School at Trichy by staying in her sister's house. The petitioner herein contacted the daughter of the defacto complainant stating that she will have a bright future in modeling and introduced her to another person by name SSK and thereby asked to send her pictures to the said SSK. Thereafter, the said SSK and the petitioner threatened the daughter of the defacto complainant to send her nude pictures.

3.The learned counsel for the petitioner submits that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution. However, she is inside the prison from 15.09.2021. The learned counsel for the petitioner further submits that the petitioner is aged about 21 years, she completed her



graduation course in B.Sc. Information & Technology, she also got an appointment from a company on 03.08.2021 and she is the only breadwinner of her family. Hence, he prayed for grant of bail.

4.The learned Additional Public Prosecutor submits that the petitioner herein is the second accused. The main accused is the first accused. The petitioner herein has introduced the defacto complainant to the first accused and asked her to send her nude photographs to the first accused.

5. Considering the facts and circumstances of the case, the period of incarceration and also the fact that the petitioner, who completed her graduation course in B.Sc. Information & Technology, got an appointment from a company on 03.08.2021 and she is the only breadwinner of her family, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is ordered. The petitioner is directed to be released on bail on her executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Mahila Court, Pudhukottai and on further conditions that:

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Judge may obtain a copy of their Aadhaar 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 abscond either during investigation or trial.

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

[e] On breach of any of the aforesaid conditions, the learned Judge/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 is released on bail by the learned Judge/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

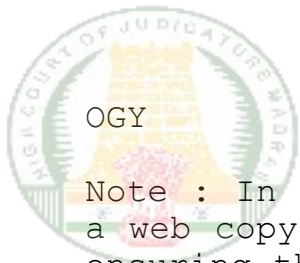
sd/-

08/10/2021

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



OGY

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 SESSIONS JUDGE,
MAHILA COURT,
PUDHUKOTTAI.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KEERANUR,
PUDHUKOTTAI DISTRICT.
- 3 THE SUPEINTENDENT,
CENTRAL JAIL,
TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-7131[I] dated 08/10/2021)
ORDER
IN
CRL OP(MD) No.15321 of 2021
Date :08/10/2021

PKP/VR/SAR-4/08.10.2021/3P/6C