



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5367 of 2022

MOHAMMED SARJUN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
C-3, SAIBABA COLONY POLICE STATION,
COIMBATORE CITY.
IN CRIME NO.26 OF 2022.

[RESPONDENT]

For Petitioner : M/S.A.NOWFAL Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under section 147, 148, 294(b), 323, 342, 397, 448, 506(ii) of I.P.C r/w under Section 66-E of Information Technology Act in Crime No.26 of 2022 seeks anticipatory bail.

2. The petitioner herein along with other accused had called the defacto complainant to the house of one Peter and they had allegedly taken some obscene photos of his wife and using those photos, the defacto complainant has been continuously threatened and exhausted . At one stage, the defacto complainant unable to bare his demand, has given a complaint to the police which leads to registration of the case under 147, 148, 294(b), 323, 342, 397, 448, 506(ii) of I.P.C under Section 66-E of Information Technology Act .



3. This petitioner is arrayed as 3rd accused, who is named in the FIR and one Jithin @ Jithu who is arrayed as 4th accused and arrested by the respondent police has given a confession statement, which go along with the averments found in the complaint, it is clear that the petitioner and others are absconding.

4. The learned Government Advocate (Crl. Side) submits that the investigation conducted so far indicates the overt act of the petitioner in the crime of extortion of money, which has been transferred through online to some of the accused and their role in the Crime is patently found from the documents collected. He further submits that the petitioner and others are absconding and hence he seeks for dismissal of petition, since custodial interrogation is required.

5. Considering the allegation levelled against the petitioner and the materials collected so far, this Court is of the view that unless custodial Interrogation of the petitioner has conducted, the entire scene of crime cannot be come to light.

6. Accordingly, this Criminal Original petition is dismissed.

-sd/-

15/03/2022

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.

TO

1 THE INSPECTOR OF POLICE,
C-3, SAIBABA COLONY POLICE STATION,
COIMBATORE CITY.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.5367/2022

Date :15/03/2022

JPA 24/03/2022