

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.8995 of 2021

KARTHIK MANIKONDA

[PETITIONER / ACCUSED]

Vs

STATE OF TAMILNADU REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,

B-1, THIRUVALLUR TOWN POLICE STATION,

TIRUVALLUR.

CR.NO.177/2021.

For Petitioner : M/S.G.MOHANA KRISHNAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

For Intervener : M/S.S.SATHISH RAJAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioner/A1 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) & 420 of IPC in Crime No.177 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the *de facto* complainant is working as a tutor in the Institute of Chartered Accountants of India and also tutors the students studying in his wife's coaching class. His wife had started taking online coaching classes from March 2020. During the month of June 2020, one Lalitha joined the online class. It is alleged that, the teachers and the students have a Whatsapp group and in that group, the said Lalitha had forwarded the particulars of other similar Coaching classes. When the *de facto* complainant questioned about the same, she had justified her posts and tried to lure him by asking for Rs.10,000/- and sent lewd pictures. When the *de facto* complainant tried to found out her address by using her mobile number, he came to know that the number belonged to one Rajesh. When he had enquired about the said

activity, Rajesh had implicated the petitioner herein by stating that said the mobile number purchased by him had been used by the petitioner. Hence, the complaint.

3. According to the case of the prosecution, no offence is made out for the offence punishable under Section 420 of IPC. Therefore, this Court is of the view that custodial interrogation of the petitioner is not required.

4. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Tiruvallur, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate 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. for a period of two weeks and thereafter as and when required for interrogation.

[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]**.

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

-sd/-
07/06/2022

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 JUDICIAL MAGISTRATE,
NO.1, TIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
B-1, THIRUVALLUR TOWN POLICE STATION,
TIRUVALLUR.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. G.MOHANA KRISHNAN Advocate on payment of
necessary charges SR.NO.8645

+1 CC to M/S.S.SATHISH RAJAN, Advocate on payment of necessary
charges SR.NO.8565

CRL OP.8995/2021

Date :07/06/2022

TA-10/06/2022