



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.12041 of 2022

AMBIKA @ AMBIKA SAJU

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
W19 ALL WOMEN POLICE STATION,
ADYAR, CHENNAI 600 020.
CR.NO.2 OF 2022.

[RESPONDENT]

For Petitioner : M/S.C.S.SARAVANAN Advocate

For Respondent : MR.E.RAJ THILAK Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 06.04.2022 for the alleged offence under Sections 354(A), 354(C), 384, 506(i), 509 read with 34 IPC and 66E and 67A IT Act 2000 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No. 2 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant joined a Whatsapp group and she came in contact with A1 and A2. Thereafter, she came to know A3, who is the petitioner herein and the petitioner is said to have introduced A4 to the defacto complainant. The defacto complainant seems to have had some relationship with A4 and there was physical intimacy. The defacto complainant in close quarters with A4 seems to have been captured through photographs and videos and it is stated that the defacto complainant was threatened and money was demanded from her.



3. Heard Mr.C.S.Saravanan, learned counsel for the petitioner and Mr.E.Raj Thilak, learned Additional Public Prosecutor appearing for the respondent.

WEB COPY

4. This Court had the advantage of reading the entire 164 statement recorded from the defacto complainant. It is seen that the defacto complainant did have physical intimacy with A4. This had happened for a considerable time. It is not known as to why the defacto complainant, who is aged about 55 years, involved herself in such activities. The only allegation that has been made against the petitioner is that she was the one, who introduced the defacto complainant to A4 and she was also possessing the photographs through which the defacto complainant was threatened.

5. In the considered view of this Court, no useful purpose will be served by keeping the petitioner behind bars and she has already suffered incarceration for nearly 43 days. That apart, the mobile phone belongs to the petitioner has already been seized. If the petitioner is made to report before the respondent police daily, there will be some interrogation which may lead to some improvement in the investigation. The petitioner also does not have any bad antecedents and she is a mother of two children.

6. In view of the above discussion, this Court is inclined to enlarge the petitioner on bail.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, out of which one surety shall be the husband of the petitioner, each for a like sum to the satisfaction of the learned IX Metropolitan Magistrate, Saidapet, Chennai and on further conditions that:-

[a] 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., and 05.30 p.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].

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

-sd/-

19/05/2022

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 METROPOLITAN MAGISTRATE
NO. IX, SAIDAPET, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
W19 ALL WOMEN POLICE STATION,
ADYAR, CHENNAI 600 020.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

+1 CC to M/S.C.S.SARAVANAN Advocate on payment of necessary charges SR.No. 7561

CRL OP.12041/2022

Date :19/05/2022

SP(20/05/2022)