



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Third day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14501 of 2022

S.VIJAY @ REEGAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUVALLUR, TIRUVALLUR DISTRICT.
(CR.NO.15 OF 2021)

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

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

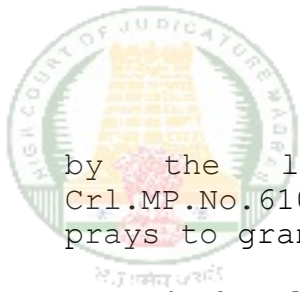
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 450, 376(2)(n), 506(ii), 292-A of IPC and Section 67 of Information Technology Act, 2000 r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 in Crime No.15 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the brother of A1 who is an Advocate. The defacto complainant approached the brother of the petitioner A1 for divorce case and thereafter A1 developed illegal intimacy with the defacto complainant and he had taken obscene photographs and forwarded to his wife/petitioner herein and then the petitioner is alleged to have sent the obscene photographs to her and threatened her and also demanded huge money. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not been committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the co-accused was released on statutory bail



by the learned Judicial Magistrate No.II, Tiruvallur in CrI.MP.No.6104 of 2021 dated 20.10.2021. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submits that this Court has already granted anticipatory bail to the co-accused. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the above facts, 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 on which the order copy made ready, before the Judicial Magistrate No.II, Tiruvallur, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, one among the surety shall be a blood relative of the accused, 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 appear 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 abscond, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-

23/06/2022

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.II, TIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUVALLUR, TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.C.S.SARAVANAN Advocate on payment of necessary charges SR.No.9856

CRL OP.14501/2022

Date :23/06/2022

CSK 29/06/2022