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Crl.O.P.No.24167 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 509 & 506(2) of IPC, 1860 read with Section 67 of the Information Technology Act, 2000 in Crime No.277 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A1, who is the son of the petitioners herein had morphed the obscene photographs of the *de-facto* complainant and sent it to the groom of the *de-facto* complainant, thereby stopped the marriage. When it was questioned by the *de-facto* complainant, the petitioners have threatened the *de-facto* complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that petitioners are innocent and they have been unnecessarily roped in this case. The fact remains that the petitioners son/A1 is employed in



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Singapore. He had sent the morphed obscene photographs of the *de-facto* complainant to the groom of the *de-facto* complainant. Earlier, the petitioners were called for enquiry and petitioners have pleaded their innocence and submitted that they were not aware about the activities of their son, who is living in Singapore for a long time. Thereafter, the petitioners were left out. Subsequently, without the knowledge of the petitioners, their son/A1 had once again sent the morphed photographs of the *de-facto* complainant, due to which a case has been registered. He would further submit that the petitioners have not intimidated the *de-facto* complainant and only in order to bring the son of the petitioners to India, a false complaint has been lodged. He would further submit that the petitioners are ready and willing to abide any stringent condition as imposed by this Court and he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that that A1, who is the son of the petitioners herein had morphed the obscene photographs of the *de-facto*



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complainant and sent it to the groom of the *de-facto* complainant, thereby stopped the marriage. When it was questioned by the *de-facto* complainant, the petitioners have threatened the *de-facto* complainant. He would further submit that investigation is pending. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are 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 **learned Judicial Magistrate, No.I, Mayiladuthurai**, on condition that each of the petitioners shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned



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Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.



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

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