



Crl.O.P.No.25860 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.25860 of 2022

Selvam

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
AWPS Chengam-Police Station,
Tiruvannamalai-District.
Crime No.10 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending investigation in Crime No.
10 of 2022 on the file of the respondent police.

For Petitioner : Mr.K.Karuppaiyamooppanar

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



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arrested on 06.10.2022. He would further submit that the petitioner's mobile phone was secured and sent before the Court and the major part of the investigation has been completed. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that, the defacto complainant is a married women having three children.. The petitioner in the guise of helping the defacto complainant had taken her to a secluded place and misbehaved her and also taken obscene photographs. Thereafter, based on the obscene photographs, petitioner had threatened the defacto complainant that her photographs will be circulated in the social media and also demanded for sexual favors. Hence, he opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and other materials available on record.

6. Taking into consideration the facts and circumstances of the



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case, the submission made by the learned counsel and also considering that the case was registered on 28.05.2022 and the petitioner was arrested on 06.10.2022 and the mobile phone of the petitioner was recovered, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 **learned Judicial Magistrate, Chengam - Tiruvannamalai District** 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 stay at Cuddalore and report before the Inspector of Police, Cuddalore Old Town Police Station daily at 10.30.a.m., for a period of four weeks and thereafter on every Friday at 10.30.a.m., until further orders.

[c] the petitioner shall not tamper with evidence



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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;

31.10.2022

Sma

A.D.JAGADISH CHANDIRA.,J.

Sma



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WEB COPY

To

1. learned Judicial Magistrate,
Chengam - Tiruvannamalai District.
2. The Inspector of Police,
AWPS Chengam-Police Station,
Tiruvannamalai-District.
3. Central Prison,
Vellore.
4. The Public Prosecutor,
High Court of Madras.

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