



Crl.OP.No.28929 of 2022

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Dr.G.JAYACHANDRAN, J.,

The petitioner/A5, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 354-A, 354-C, 506(1), 509 and 34 of IPC, Section 66E and 67A of IT Act and it was altered into Section 384 of IPC and Section 4 of TNPHW Act in Crime No. 2 of 2022 is before this Court seeking anticipatory bail.

2. The petitioner herein, who is shown as 5th accused in Crime No.2 of 2022 on the file of the respondent police has come for the fourth time before this Court seeking anticipatory bail.

3. Learned counsel appearing for the petitioner submitted that he is shown as one of the accused on the complaint given by one Saradha alleging that the accused persons involved in enticing ladies to indulge sex grooming and open sex through whatsapp group. Alleging that he had been dragged into sex network with the other members by its admin and moderators of the whatsapp group and forced to post her nude



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photographs and alleging that this petitioner, after the defacto complainant stopped interrogating in the whatsapp group administered by the fourth accused, who is the brother of this petitioner, created the second whatsapp group and the same modus operandi followed by this petitioner.

4. This Court on earlier occasion when the anticipatory bail moved by this petitioner dismissed the petition on the ground that this petitioner has been identified as one of the members of the gang involved in propagating free sex and extorting money from the gullible ladies. It is also reported that except A1, who is residing in Australia and this petitioner (A5), all other three accused (A2 to A4) were arrested and released on bail. Sofar as this petitioner is concerned, whose whereabouts is not known and all efforts taken by the police to trace the whereabouts has gone vain.

5. The learned Government Advocate (Crl.Side) states that if the petitioner co-operate with the investigation, they may not be any necessity to arrest him.



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6. Recording the same, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Saidapet**, on condition that the petitioner shall execute a bond for a sum of **Rs.1,00,000/- (Rupees One Lakh 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) **the petitioner shall report before the Investigation Officer daily at 10.30 a.m. and 05.00 p.m., until further orders.**



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(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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

25.11.2022

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