



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 11/05/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.3543 of 2022

and

CrI.M.P.(MD)No.5773 of 2022

Syed Ibrahim

... Petitioner / Accused No.4

Vs

The State rep.by,  
The Inspector of Police,  
All Women Police Station,  
Keelakkarai, Ramanathapuram District.  
(Crime No.10 of 2020)

... Respondent/Complainant

For Petitioner : Mr.R.S.Sivaram  
Advocate.

For Respondent : Mr.S.Ravi  
Additional Public Prosecutor.

For Intervener : Mr.J.Vishnu, Advocate.

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

PRAYER :-For Anticipatory Bail in Crime No.10 of 2020 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 354C, 417, 120B, 306 of IPC and 67(A) of IT Act, in Crime No.10 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the first accused had illegal intimacy with the defacto complainant and had taken obscene photographs. The same was forwarded to the petitioner who is residing in Malaysia. After receipt of the obscene photographs, the petitioner threatened the defacto complainant and demanding money. Hence, the complaint.

3.The learned counsel for the intervener would submit that the  
<https://hcservices.courts.gov.in/hcservices/> a maternal uncle and inadvertently she made a



complaint against the petitioner. She does not want to proceed the case against the petitioner and she has filed an affidavit to that effect.

4.The learned Additional Public Prosecutor would submit that serious allegations are made against the petitioner.

5.This Court perused the affidavit filed by the defacto complainant, which reads as follows:

"4. I submit that it is the 1st accused who had cheated me and committed the offence as alleged in the FIR and except him no other accused namely the 2nd, 3rd and 4th accused did not committed any offence and I had included them based on the wrongful information and I came to know about the facts after registration of the FIR."

6.In view of the statements made in the affidavit filed by the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Ramanathapuram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 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 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 for a period of two weeks, thereafter, as and when required;

(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.

7. Consequently, connected miscellaneous petition is closed.

sd/-

11/05/2022

/ TRUE COPY /

16/05/2022

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,  
RAMANATHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, KEELAKARAI,  
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to Mr.R.S.SIVARAM, Advocate ( SR-4632[I] dated 12/05/2022 )

ORDER

IN

CRL OP(MD). No.3543 of 2022  
and

CrI.M.P.(MD) No.5773 of 2022  
Date : 11/05/2022

pnn / sn

MK/JM/SAR.II/16.05.2022/3P/6C