

Crl.O.P.No.1609 of 2023

T.V.THAMILSELVI, J.

The petitioners, who apprehends arrest for the alleged offence under Sections 294(b), 323 and 506(i) of I.P.C R/w 4 of Tamilnadu Prohibition of Harassment of Women Act, 2022 in Crime No.12 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner said to have illegal relationship with the defacto complainant and had taken sexual videos and photographs and threatened her that if she does not cater to his monetary needs, he will upload the intimate videos in the social media and thereby received a sum of Rs.5,50,000/- from her. Hence the case.

3.The learned counsel appearing for the petitioner submits that he has no way connected with the alleged occurrence and he has been falsely implicated in this case. However, the learned counsel, on instructions, further submits that the petitioner, without prejudice to his rights, is ready to deposit some amount to the credit of the crime number as imposed by this Court. Hence, the learned counsel prays to grant anticipatory bail to the



petitioner.

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4.The learned Government Advocate (Crl.Side) submits that the petitioner and the defacto complainant are face book friends and the petitioner threatened the defacto complainant that he will upload the intimate videos of the defacto complainant in the social media and thereby received a sum of Rs.5,50,000/- from her. Hence he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and that the petitioner on his own volition, is ready to deposit some amount to the credit of the crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.12 of 2023, within a period of fifteen (15) days and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the **learned XVII Metropolitan Magistrate, Saidapet** on condition



that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)**, with two sureties (**out of which one surety must be a blood related surety**) 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 is directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.12 of 2023 before the concerned Magistrate within a period of fifteen (15) days and the defacto complainant is permitted to withdraw the said deposit amount of Rs.1,00,000/- (Rupees Two Lakhs only) on proper identification and acknowledgment;

(b) the petitioner is directed to file an affidavit that he will not publish any type of videos in the social media

(c)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;

(d)the petitioner is directed to appear before the respondent police every Tuesday and Saturday at 10.30 a.m for a period of



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eights weeks and thereafter, appear before the trial Court on all hearing dates.

(e)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f)the petitioner shall not abscond either during investigation or trial;

(g)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 anticipatory 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;

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

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