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Crl.O.P.No.2265 of 2023

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence punishable under Sections 147, 354 and 506(i) of IPC read with Section 4 of TN Prohibition of Harassment of Women Act, read with Section 67 of IT Act 2000 in Crime No.553 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant namely Meenakshi lodged a complaint by stating that her husband was died in the year 2017. Thereafter she developed illicit intimacy with the 1st petitioner and gave her jewels and valuable articles to him. Subsequently, 1st petitioner went abroad and from there he instructed the defacto complainant and harassed her to extend the financial help to the parents of the 1st petitioner. When the defacto complainant refused to do the same, the 1st petitioner posted obscene photos of her in social media and gave life threat to her. Further, on 12.09.2022 the parents and wife of the 1st petitioner forcibly taken away the belongings of the defacto complainant



and threatened her with dire consequences. Hence, the complaint.

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3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution. However, on instructions, he further submits that the petitioner, without prejudice to their rights, are ready to abide any condition imposed by this Honourable court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that the defacto complainant had illicit intimacy with the 1st petitioner and gave her jewels and valuable articles to him. Subsequently, 1st petitioner went abroad and from there he instructed the defacto complainant and harassed her to extend the financial help to the parents of the 1st petitioner. When the defacto complainant refused to do the same, the 1st petitioner posted obscene photos of her in social media and gave life threat to her. Further, on 12.09.2022 the parents and wife of the 1st petitioner forcibly taken away the belongings of the defacto complainant and threatened her



with dire consequences. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel appearing on either side, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the **learned Judicial Magistrate Court-1, Virudhachalam** on condition that each of the petitioners 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, 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 1st petitioner is directed to report before the respondent police on every Tuesday for eight weeks and thereafter as and when required for interrogation and the petitioners Nos.2, 3 and 4 are directed to report before the respondent police as and when required for interrogation.

[c] The matter is referred to the Mediation Centre at Cuddalore, for not less than Four sittings for the purpose of solving the issues between the 1st petitioner and the defacto complainant. The 1st petitioner and the defacto complainant are directed to appear before Mediation Centre at Cuddalore on 09.02 .2023 at 10.30 a.m., without fail.

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

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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 petitioners released on



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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]**

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

06.02.2023

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