



Crl.O.P.No.4415 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 354C, 506(ii) of IPC and 66E of IT Act 2000 in Crime No.Not known of 2023, seeks anticipatory bail.

2.The case of the prosecution is that while the defacto complainant taking bath, the petitioner has taken a video in his mobile phone. After watching him, she was shouting and called her mother and when they questioned about the same, the petitioner has threatened them with dire consequences. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is a neighbour and already some pathway dispute between them, in order to wreck their vengeance, a false complaint has been given against him. He would further submit that the petitioner is ready to abide by any stringent condition that may be



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imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that while the defacto complainant taking bath, the petitioner has taken a video in his mobile phone. After watching him, she was shouting and called her mother and when they questioned about the same, the petitioner has threatened them with dire consequences. He would further submit that the mobile phone was not recovered from the petitioner. Hence, he opposed for grant of anticipatory bail to the petitioners.

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

6.Considering the facts and circumstances of the case and also the submissions made by the learned counsel, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. 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 on which the order copy made ready, before the learned Judicial Magistrate No.II, Thiruvallur, 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 must be a blood 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 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 surrender his mobile phone to the respondent Police and report before the respondent police on every Tuesday and Sunday at 10.30 a.m., for a period of two months.



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© the petitioner shall file an affidavit of undertaking stating that he will not post any of the photographs or videos of the victim girl in a social media or in any manner;

(d)the petitioner 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

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

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