



Crl.O.P.No.7532 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 354(C) of IPC, Section 4 of Tamilnadu Prohibition of Harassment of Women Act and section 66 E of Information Technology Act 2000, in Crime No.135 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Bhuvana Balaji is that the accused without her knowledge, had taken videos and photographs of her in the Registrar Office. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false complaint has been given on account of business dispute. He would submit that the petitioner is a person, who was engaged in real estate business and he used to Register



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documents through the defacto complainant's father-in-law.

Subsequently, due to the death of the defacto complainant's father-in-law, the petitioner had been engaging the services of other document writer.

Enraged by the same, the defacto complainant has given a false complaint. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (criminal side) for the respondent would submit that the case has been registered based on the direction from the learned Judicial Magistrate-I, Gobichettipalayam under Section 156(3) of Cr.P.C. He would submit that the petitioner without the knowledge of the defacto complainant, had taken videos and photographs of her and attempted to outrage her modesty. Hence, he opposed for grant of anticipatory bail to the petitioner/accused.

5. Heard both sides and perused the materials available on record.



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6. Considering the above facts and circumstances of the case and the submissions made by either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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-I, Gobichettipalayam**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity.



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[b] the petitioner shall report before the respondent police every day at 10.30 a.m., for a period of two weeks and thereafter every Saturday at 10.30 a.m., until further orders.

[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]**.

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

06.04.2023

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