



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 16/02/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.2063 of 2023

Veeraselvi,

... Petitioner/Sole Accused

Vs

The State Represented by
The Inspector of Police,
Awps Aruppukkottai Police Station,
Virudhunagar District
(Crime No.04 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Prabhu.K,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.04 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 506(2) of I.P.C. and Section 67 of Information Technology Act, 2000, in Crime No.4 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant Shanmuga Priya, is that her brother Sasitharan was married to the petitioner on 10.06.2022. The further allegation is that without any reasonable cause, the petitioner had quarrelled with her brother and family members and also threatened that she would send all the



family members to jail. While so on 23.11.2022, the petitioner had uploaded a photo with a caption that "Sex interested Sasee and Sasee sister Shanmuga Priya" and thereby, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and due to a matrimonial dispute, a false complaint has been given. Hence, he would seek for anticipatory bail.

4. The learned Additional Public Prosecutor (Cri. Side) appearing for the respondent would submit that the petitioner had quarrelled with her brother and family members and also threatened that she would send all the family members to jail. While so on 23.11.2022, the petitioner had uploaded a photo with a caption that "Sex interested Sasee and Sasee sister Shanmuga Priya" and hence, he would object for grant of anticipatory bail.

5. Heard. Perused the materials available on record including the First Information Report.

6. Taking into consideration of the facts and circumstances of the case, 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Aruppukkottai, 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, 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 report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, on 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.

sd/-

16/02/2023

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/02/2023

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

TO

1.THE JUDICIAL MAGISTRATE, ARUPPUKKOTTAI.

2.DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3.THE INSPECTOR OF POLICE
AWPS ARUPPUKKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT (CRIME NO.04 OF 2023)

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.PRABHU.K Advocate SR.No.2426

ORDER

IN

CRL OP(MD) No.2063 of 2023

Date :16/02/2023

MGJ/CG/SAR I/27/02/2023/3P/6C