



WEB COPY



23

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

Date : 08/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . Nos.3208 and 3241 of 2023

Vinoth Vincent Raj @ Mayavan Mickel

... Petitioner/Accused in Crl.O.P(MD)
No.3208 of 2023

Manju

... Petitioner/Accused in Crl.O.P(MD)
No.3241 of 2023

Vs

1 The Insepctor of Police,
All Women Police Station, Cantonment,
Trichy City.
Crime No.4 of 2023.

... Respondent/Complainant
in both petitions

2 Kavitha

... Petitioner/Intervener
(in Crl MP(MD) No.3570 of 2023)

(In Crl.Op(MD) No.3208 of 2023)

For Petitioner : M/s.Jameel Arasu,
Advocate.
For Intervenor : M/s.C.Suresh kannan
Advocate
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

(In Crl.Op(MD) No.3241 of 2023)

For Petitioner : M/s.M.Krishna Sreethar
Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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



COMMON PRAYER :-

For Anticipatory Bail in Crime No.4 of 2023 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/A5 and A7 7 who apprehend arrest at the hands of the respondent police for the offences punishable under sections 417, 450, 506(i), 354(A), 306, 511 and sections 66D, 66E, 67, 67A of I.T. Act and section 4 of TNPHW Act in Crime No. 34 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that she has left her husband due to some difference of opinion and living in her sister's house and during such time she got acquaintance with the first accused who is the owner of the youtube channel namely Tamil Uk and developed friendship with him and the defacto complainant has also shared nude photos. Further the first accused introduced A2 to A6 as relatives and also made arrangement for marriage and the marriage was fixed on 30.10.2022. Thereafter the first accused informed the defacto complainant that other accused had cheated him and extracted money from him. A misunderstanding broke out between the first accused and the defacto complainant and the first accused informed the defacto complainant to talk with others and get back his money. When the defacto complainant approached the accused they demanded Rs.8,00,000/- to arrange marriage. Thereafter the first accused and the other accused uploaded the videos of the defacto complainant in their you tube channel, hence the complaint.

3. The learned counsel for the intervenor would submit that as against the first accused so many cases are registered against him. The petitioners herein also threatened the defacto complainant and extracted huge money by showing the video recovered from the first accused.

4. Heard both side and perused the materials available on record including the First Information Report.

5. It is seen that both the first accused and the defacto complainant indulged in illegal activities. Infact the defacto complainant already a married woman aged about 34 years. Further no women will make video calls without any dress though she speaks with her lover. The conduct of the defacto complainant is also not good and both of them have recorded their video calls. In so far as the petitioners herein are concerned they are admittedly the staffs of A1, therefore custodial interrogation of the petitioners is not required, hence this court is inclined to grant anticipatory bail to the petitioners, with certain conditions:



6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Additional Mahila Court, Trichy, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation

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

[d] the petitioners 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 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].

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

sd/-
08/03/2023

/ TRUE COPY /

/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

<https://www.mhc.tn.gov.in/judis>



23

TO

1. The Judicial Magistrate,
Additional Mahila Court,
Trichy.

WEB COPY

2. Do through the Chief Judicial Magistrate,
Trichy.

3. The Insepctor of Police,
All Women Police Station, Contonment,
Trichy City.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.SURESH KANNAN, Advocate(SR-3827[I] dated 09/03/2023)

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-3745[I] dated
09/03/2023)

ORDER

IN

CRL OP(MD) Nos.3208 and 3241 of 2023

Date : 08/03/2023

NA/SBN/SAR-3/21.03.2023/4P/7C