



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 07/03/2023

PRESENT

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

CRL OP(MD) . No.4378 of 2023

Nirmala @ Dhanalakshmi @ Nila

... Petitioner/Accused No.6

Vs

The State rep. by,  
The Inspector of Police,  
All Women Police Station Cantonment,  
Trichy District.

**\* Crime No. 04 of 2023.**

... Respondent/Complainant

For Petitioner : M/s.Shankar Ganesh R,

For Respondent : Mr.R.M.Anbunithi,  
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

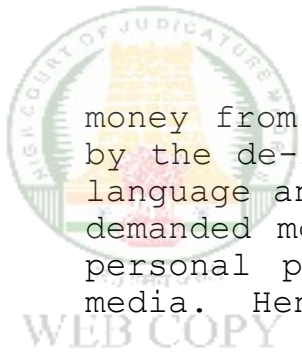
PRAYER :-

For Bail in **\* Crime No. 4 of 2023** on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 24.02.2023 for the offence punishable under Sections 417, 450 and 506(i), 354(A) and 306 r/w 511 IPC and Sections 66(D), 66 (E), 67 and 67(A) of Information Technology Act r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2022 in **(\*) Crime No.4 of 2023** on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the de-facto complainant and the first accused were in love affair and they had personal conversations in social media and during such time, A1 had introduced the other accused persons as his relatives. The further allegation is that A1 asked the de-facto complainant to collect



money from the other accused persons and when the same was demanded by the de-facto complainant, the first accused abused her in filthy language and refused to marry her and further the other accused have demanded money to arrange the marriage and further A1 uploaded the personal photos and videos of the de-facto complainant in social media. Hence, the complaint.

3.The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent and she has been falsely implicated in this case. Hence, he would seek for bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that though the petitioner and the de-facto complainant are known to each other, the petitioner along with other accused have sent obscene photos of the de-facto complainant with filthy messages in social media and further they have also threatened the de-facto complainant that if money is not given to them, they will leak further photos in the social media. Hence, he would object for bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration, this court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned Judicial Magistrate, Additional Mahila Court, Tiruchirappalli, and on further conditions that:

[b] 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.

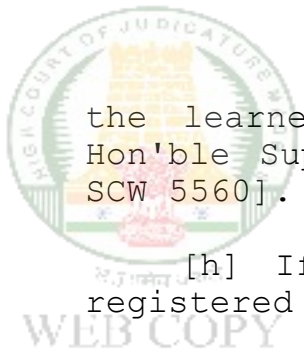
[c] the petitioner shall report before the respondent police daily at 10.30 A.M. and 05.30 P.M, for a period of four weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not commit any offences of similar nature.

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

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial 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 in the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-  
07/03/2023

**(\*) CORRECTED AS PER ORDER OF  
THIS COURT DATED 08.03.2023 IN  
CRL OP(MD) NO.4378 OF 2023**

/ TRUE COPY /

08/03/2023

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

SJI

TO

**TO BE SUBSTITUTED WITH THE ORDER DATED 07.03.2023 ALREADY DESPATCHED**

1. The Judicial Magistrate,  
Additional Mahila Court, Tiruchirappalli.
2. Do-Through The Chief Judicial Magistrate,  
Trichy District.
3. The Officer In-Charge,  
Special Prison for Women, Trichy.
4. The Inspector of Police,  
All Women Police Station Cantonment,  
Trichy District.
5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.SHANKAR GANESH R, Advocate ( SR-3567[I] dated 07/03/2023 )

ORDER  
IN  
CRL OP(MD) No.4378 of 2023  
Date : 07/03/2023

NA/SBN/SAR/07.03.2023/3P/7C  
ED/SBN/SAR- (08/03/2023) 3P 7C