



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/04/2023

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PRESENT

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

CRL OP(MD) . No.7309 of 2023

Mary Shalini @ Shalini

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Trichy City, Trichy.
(Crime No.2/2023).

... Respondent/Complainant

For Petitioner : Mr.G.Sethu Surendhar,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

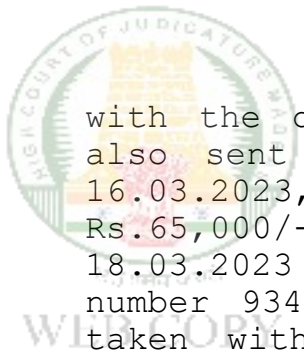
PRAYER :-

For Anticipatory Bail in Crime No.2/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 67 A of Information Technology Act, 2000 and Section 506(i) of I.P.C., in Crime No.2 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the wife of the first accused, namely, Anthony Gnanamani. The de-facto complainant is a Home Teacher teaching NEET coaching to the students from 10th standard to 12th standard. The de-facto complainant well knows the details about the marriage of the first accused, who married the petitioner. The first accused had illegal intimacy with the de-facto complainant stated that there was some misunderstanding between him and the petitioner and both of them got divorced and he showed the divorce documents to her. After that, he married the de-facto complainant on 17.01.2023 at Sorna Bhairava Temple in Periyar Road, Trichy. After marriage the first accused argued



with the de-facto complainant about her income from Tuit. He also sent money from time to time through Gpay and Paytm. On 16.03.2023, he went away with her 2 ½ sovereigns of gold chain and Rs.65,000/- from the house of the de-facto complainant. On 18.03.2023 and 22.03.2023, from the mobile number 9176240975 to her number 9345641815, he sent obscene photos and videos, which were taken without her knowledge, when they were husband and wife. Immediately, she contacted the first accused about the video and at that time, he abused her and her family members in filthy language and caused life threat to her. The de-facto complainant informed about the same to the petitioner and one Xavier. Consequently, the petitioner along with other accused threatened to kill the de-facto complainant with dire consequences indiscriminately. Hence, the case.

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

4.There are three accused involved in this case, in which, the petitioner is arrayed as A2. She is none other than the wife of the first accused. The first accused had illegal intimacy with the de-facto complainant and he also taken videograph and photos and also threatened the de-facto complainant to pay money by showing the said videograph and photos. As far as the petitioner is concerned, she also threatened the de-facto complainant in order to send the photographs and video.

5.Considering the above facts and circumstances of the case and also the fact that A1 was already arrested and released on bail, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6.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 cum Additional Mahila Court, Thiruchirappalli, 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 as and when required for interrogation;



[c] the petitioner shall not tamper with evidence or 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/-

20/04/2023

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/04/2023

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

SJI

TO

- 1 THE JUDICIAL MAGISTRATE CUM ADDITIONAL MAHILA COURT,
THIRUCHIRAPPALLI.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, TRICHY CITY,
TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.7309 of 2023

Date :20/04/2023

RS/CG/SAR-4(27.04.2023) 3P 5C