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CRL OP(MD). N



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

Date : 15/06/2023

PRESENT

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

CRL OP(MD). No.10541 of 2023

Rajkumar ... Petitioner / Sole Accused

Vs

The State rep by
The Sub Inspector of Police,
Cyber Crime Police Station,
Kanyakumari.
(in Crime No. 6 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Jenifar Bibin R, Advocate.

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. 6 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 11.03.2023 for the offences punishable under Sections 354(A)(1)(i), 354(A)(1)(ii), 354(A)(1)(iv) and 506(1) of IPC, Sections 66E, 67 and 67A of Information Technology Act and Section 4 of TNPWH Act in Crime No.6 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the de-facto complainant are working in the same place. The petitioner had physical relationship with the de-facto complainant and recorded the same in his mobile phone without the knowledge of her. When the de-facto complainant refused to act upon the words of the petitioner, the petitioner threatened her saying that he will

<https://www.mca.gov.in/>



circulate the photos and obscene videos in social media. He case.

3. Heard both sides and perused the materials available on record including the First Information Report including the statement of the victim recorded under section 164 of Cr.P.C.

4. It is seen from the case diary and the statement of the victim recorded under section 164 of Cr.P.C that the victim is aged about 25 who is a unmarried lady and she is working in this Registry. The petitioner is also working as driver in this Registry and he is a married person having one male child. They had relationship and also had physical relationship. They stayed in a private lodge and had physical relationship. Without the knowledge of the victim the petitioner had taken video and he threatened the victim and demanded huge money and when she refused to give money the petitioner herein threatened her by saying that he will upload the obscene videos in the social media. Though the victim had consented for their relationship the petitioner without the knowledge of her had taken videos and photos had threatened her with dire consequences. This is the second petition for bail and the earlier petition for bail was dismissed on 17.05.2023 and there is no change in circumstances of the case to consider the present petition for bail. Further the petitioner has committed very serious and heinous offence as against the victim, hence this Court is not inclined to grant bail to the petitioner.

5. In the result, the Criminal Original Petition stands dismissed.

sd/-
15/06/2023

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/06/2023

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

AAV

To

1. The Sub Inspector of Police,
Cyber Crime Police Station,
Kanyakumari.

2. The Officer Incharge,
District Jail,
Nagercoil.

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3.The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.JENIFER BIBIN, Advocate (SR-8830[I] dated 15/06/2023)

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ORDER

IN

CRL OP (MD) No.10541 of 2023

Date :15/06/2023

ED/CG/SAR- (20/06/2023) 3P 5C