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Crl.O.P.No.2477 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A4 who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 384, 511 of IPC and Section 67A of Information Technology Act read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.445 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. It is stated by the learned Government Advocate (Criminal Side) appearing on behalf of the respondent that the mother of A1 used to talk with the defacto complainant using the mobile phone of A2 through video call. That was about a year back. Later, the said video was morphed into an obscene picture.

3. However it is stated that A1 to A3 had been arrested and granted bail. The phone has been seized and had been sent to Forensic Laboratory for verification.



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4. Taking all these factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Ambur** 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



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respondent Police, daily 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;

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