



Crl.O.P.No.7139 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2024

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.O.P.No.7139 of 2024

Srinivas

...Petitioner/A8

Vs.

State represented by
The Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai District.
(Crime No.108 of 2024)

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.108 of 2024 on the
file of the respondent police.

For Petitioner : Mr.Ilayaraja Kandasamy

For Respondent : Mr.V.J.Priyadarsana
Govt. Advocate (Crl. Side)



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ORDER

The petitioner / A8, who was arrested and remanded to judicial custody on 28.02.2024 for the offence punishable under Sections 323, 307, 389, 506(2), 120(B) IPC in Crime No.108 of 2024 on the file of the respondent police, seeks bail.

2.It is stated that a complaint was lodged by the brother of the Adhina Madhadipathy Sri La Sri Masilamani Swamy stating that the accused persons had threatened them with release of obscene audio and video clippings. It is further stated that they were threatened of circulation of the same on internet and TV channels, if the Madhadipathy does not provide them with money.

3.The learned counsel for the petitioner stated that the name of the petitioner is not found place in the FIR.



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4.The earlier petition seeking bail was dismissed on 11.03.2024 in Crl.O.P.No.6005 of 2024. A counter affidavit has been filed and it is seen from the same that there has been substantial progress in the investigation. The Investigation Officer had recorded the statement of nine witnesses. He had also seized the material objects. All the accused have also been arrested.

5.Taking all these factors into consideration and also considering the period of incarceration suffered by the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:

6.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 – I, Mayiladuthurai, and on further conditions that:

[a] 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.



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[b] the petitioner shall report before the Inspector of Police, Kottar Police Station, Nagercoil, daily at 10.30 a.m., until further orders.

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

[d] the petitioner shall not tamper with evidence or witness 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.

23.04.2024

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To

1. The Judicial Magistrate - I, Mayiladuthurai.
2. The Sub Jail, Mayiladuthurai.
3. The Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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