



Crl.O.P.No.14522 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 354A, 354C, 506(2), 509 of IPC and under Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.139 of 2024, seek anticipatory bail.

2. The case of the prosecution is that there was a love affair between the 1st petitioner and the defacto complainant and due to misunderstanding, love was breakup. Further, the 1st petitioner had recorded the photo of the defacto complainant at that time of relationship, after breakup, the 1st petitioner had threatened her that he will upload the videos and photographs in the social media.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in



Crl.O.P.No.14522 of 2024

this case. He further submitted that the 1st petitioner and the defacto complainant are professional doctors, studied together in the same college and were in relationship during the period of 2016-2017. He further submitted that they had a breakup due to misunderstanding and non-compatibility. He further submitted that there is no previous case pending as against the petitioners. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the 1st petitioner with intention to harass the defacto complainant and threatened her that he will upload the videos and photographs in the social media. He further submitted that the defacto complainant is suffered mentally and she decided to commit suicide. He further submitted that the second petitioner is not an accused in this case at the instructions of the respondent police and the investigation is almost completed. However, he opposed for grant anticipatory bail to the petitioners.



Crl.O.P.No.14522 of 2024

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5. Considering the facts and circumstances of the case and also the fact that the second petitioner is not an accused in this case, therefore, this Criminal Original Petition is closed in respect of the second petitioner. Further, both were major by doctor profession and they have separated in the year 2018-2019 and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the 1st petitioner with certain conditions.

6. Accordingly, the 1st 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 is made ready, before **the learned XI MM Saidapet Court, Chennai**, on condition that the 1st 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:

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[a] the 1st 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 1st petitioner shall surrender his phone to the Investigating officer and file an affidavit before the trial Court stating that he will not published any of the photos belongs to the defacto complainant in the social media. Further, the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of two months and thereafter, as and when required for interrogation.

[c] the 1st petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the 1st 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 1st petitioner in accordance with law as if the conditions have been imposed and the 1st 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**



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CrI.O.P.No.14522 of 2024

[(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

24.06.2024

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Crl.O.P.No.14522 of 2024

T.V.THAMILSELVI,J.

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Crl.O.P.No.14522 of 2024

24.06.2024