



Crl.O.P.No.17243 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 469, 504, 506(1) of IPC and under Section 67 of Information Technology Act 2000, in Crime No.280 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had abused the defacto complainant in caste name through whats app and threatened him. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has not sent any message to the defacto complainant by abusing caste name. He further also submitted that the defacto complainant is an Advocate by profession and appeared on behalf of one Geetha. He further submitted that the said Geetha has also given a complaint against this petitioner and the same was registered in Crime No.473 of 2023. Further, the defacto complainant suggested the petitioner to settle the issues and demanding a sum of Rs.3 lakhs out of compulsion, the petitioner has paid a sum of Rs.38,000/- to the defacto complainant by way of Google pay. He further



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submitted that as per direction of this Court order dated 24.08.2023, the Bar Council of Tamil Nadu taken action against the defacto complainant. He further submitted that in order to wreak vengeance, a false case has been given. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatoy bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the investigation is almost completed However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. The learned counsel for the Intervenor/defacto complaionant submitted that the petitioner has abused the defacto complainant in caste name and threatened him. Hence, he strongly opposed for grant of anticipatory bail to the petitioner.

6. On a perusal of records, it reveals that the petitioner has sent a message to the defacato complainant thorough whats app by abusing caste name and the same was verified in true caller, one number is international number and another one is Velu kubendiran. Further, the phone number is not belongs to this petitioner. Further, there was already



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dispute between the petitioner and the defacto complainant and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 is made ready, before **the learned Judicial Magistrate No.1, Mayilduthurai**, 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 on every Tuesday at 10.30 a.m., for a period of two months and thereafter, as and when required for interrogation and he is directed to surrender his phone for further investigation before the respondent police.



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[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 abscond, a fresh FIR can be registered under Section 229-A IPC.

25.07.2024

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