



CRL OP(MD) No.3154 of 2024

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

Thursday, the Twenty Ninth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3154 of 2024

1 P.RAJESH
2 A.SATHYA

... PETITIONERS/ ACCUSED 1 & 2

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THENI, THENI DISTRICT.
CRIME NO.4 OF 2024.

... RESPONDENT/COMPLAINANT

SUGANAYA

... PETITIONER/DEFACTO COMPLAINANT
IN CRL MP(MD).2625/2024 IN CRL OP(MD).3154/2024

For Petitioners : MR.S.VIKRAM, Advocate

For Respondent : MR.S.MANIKANDAN, Government Advocate (Crl.Side)

For Intervenor : MR.P.SIVA KUMAR, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.4 OF 2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-



CRL OP(MD) No.3154 of 2024

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 354(D), 342 and 506(i) IPC, in Crime No.04 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 18.01.2024 at about 11.30 a.m., when the defacto complainant was standing in Theni Bus stand, the first petitioner voluntarily restrained the defacto complainant and forced the defacto complainant to withdraw the case against the petitioner, which was refused by the defacto complainant, due to which, the first petitioner attacked the defacto complainant and snatched Redmi Mobile Phone from the defacto complainant and threatened her over phone that the photos of the defacto complainant in the mobile phone will be published in the Youtube and other social platforms. The second petitioner, who is the sister of the first petitioner, has threatened the defacto complainant with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the first petitioner has not snatched any phone from the defacto complainant. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned counsel appearing for the defacto complainant submits that the



CRL OP(MD) No.3154 of 2024

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defacto* complainant is a divorcee and the first petitioner forced the defacto complainant to marry him and had sexual relationship with her and thereafter, difference of opinion occurred between them, for which, the defacto complainant has filed a criminal case and the same is pending before the trial Court. While so, on 18.01.2024, the first petitioner attacked the defacto complainant and snatched the mobile phone from her. Thereafter, he called the defacto complainant over phone and threatened her that the photos in the mobile phone will be uploaded in Youtube and forced her to withdraw the criminal case. Since she has refused to withdraw the case, he forwarded the photos of the defacto complainant to the colleagues who are working with the defacto complainant. The second petitioner, who is the sister of the first petitioner, has also threatened the defacto complainant with dire consequences. Hence, she made a complaint.

5.The learned Government Advocate (Criminal side) appearing for the respondent Police submits that the investigation is yet to be completed.

6.It appears that the first petitioner is already facing trial in the criminal case lodged by the defacto complainant before the trial Court, due to which, on 18.01.2024, the first petitioner forced the defacto complainant to withdraw the said case and since she refused to withdraw the case, the first petitioner attacked the defacto complainant and snatched mobile phone from her. He called the defacto complainant over phone



CRL OP(MD) No.3154 of 2024

and threatened her that if she is not withdrawing the case, the photos in the mobile phone will be uploaded in the Youtube and he forwarded the photos of the defacto complainant to the colleagues who are working with the defacto complainant. It is alleged that the second petitioner, who is the sister of the first petitioner, has also threatened the defacto complainant with dire consequences, in collusion with the first petitioner. Considering the fact and circumstances of the case and the serious allegation levelled against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
29/02/2024

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/03/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ssb

TO

1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THENI, THENI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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CRL OP(MD) No.3154 of 2024

ORDER

IN

CRL OP(MD) No.3154 of 2024

Date :29/02/2024

RS/VR/SAR-(28.03.2024) 5P 3C

Madurai Bench of Madras High Court is issuing
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