



CRL OP(MD) No.7676 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.05.2024

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.7676 of 2024

J.A.Ashok Kumar

... Petitioner / Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Ottanchatram,
Dindigul District.
(Crime No.1 of 2024)

... Respondent / Complainant

For Petitioner : Mr.R.Maheswaran, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.1 of 2024 on the file of the Respondent police.



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ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 354(B) of IPC and 67 of Information Technology Act, 2000 in Crime No.1 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that while the defacto complainant was working in Vedha Mills, she had a friendship with one Ezhilarasan who was hailing from Trichy. By citing the photos of the defacto complainant with Ezhilarasan, the petitioner threatened the defacto complainant that if she is not sent a nude photo, he will send the said photos to her father. Thereafter, the defacto complainant sent a nude photo to the petitioner's cell phone. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that investigation is pending.

5.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner on condition that the petitioner shall hand over his mobile phone to the respondent police within a period of one



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week from the date of receipt of a copy of this order.

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6. On such handing over, 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Ottanchatram 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 learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with the 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 is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



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Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[f]If the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC.

sd/-
24/05/2024

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/05/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RMI

To

1.The Judicial Magistrate,
Ottanchatram.

2.Do through the Chief Judicial Magistrate,
Dindigul District.

3.The Inspector of Police,
All Women Police Station,
Ottanchatram,
Dindigul District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.MAHESWARAN, Advocate (SR-5787[I] dated 24/05/2024)



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ORDER

IN

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Date :24/05/2024

ED/ VR /SAR- (29/05/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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