



CRL OP(MD). No.9205 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/07/2024

PRESENT

The Hon'ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9205 of 2024

Thomas

... Petitioner/ Accused Rank not known

Vs

The Inspector of Police,
Cyber Crime Branch Police Station,
Tuticorin District,
(Crime No.58 of 2024.)

... Respondent/Complainant

For Petitioner : M/s.Sathya Chidambaram.S, Advocate.

For Respondent : Mr.K.Sanjay Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.58 of 2024 on the file of the respondent police



CRL OP(MD). No.9205 of 2024

ORDER: The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 IPC r/w Section 66(C), 66(D), 67 and 67A of Information Technology Act in Cr.No.58 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has asked more money from the defacto complainant and threatened her by stating that he will displayed her photos, if not paid. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor has strongly opposed to grant anticipatory bail to the petitioner, however, he would submit that stringent condition may be imposed on the petitioner.

5.Considering the facts and circumstances of the case and also considering the submissions of the learned counsels appearing on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy



CRL OP(MD). No.9205 of 2024

WEB COPY

of this order, before the learned Judicial Magistrate-IV, Tuticorin, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) before the said Court to the credit of the said crime number.

(b) 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;

(c) the petitioner shall report before the respondent police on every Saturday at 10.00 a.m until further orders.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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



CRL OP(MD). No.9205 of 2024

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

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(g)if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC.

sd/-

04/07/2024

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Sub-Assistant Registrar

(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

SKN

To

1.The Judicial Magistrate No.IV,
Tuticorin.

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

3.The Inspector of Police,
Cyber Crime Branch Police Station,
Tuticorin District.

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

+1CC to M/s.S.SATHYA CHIDAMBARAM, Advocate, SR No.7493(I), dated
05.07.2024



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CRL OP(MD). No.9205 of 2024

ORDER

IN

CRL OP(MD) No.9205 of 2024

Date :04/07/2024

ED/ JGB /SAR- (23/07/2024) 5P / 6C

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