



CRL OP(MD). No.14048 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/09/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.14048 of 2024

1. Nagaraj

2. Yowan Selvam

... Petitioners/ Accused 3 & 5

Vs

1. The Inspector of Police,
Odaipatti Police Station,
Theni District.
(Crime No. 94 of 2024).

2. The Superintendent of Police,
Theni District.

...Respondents/ Complainants

(R2 is Suo-Motu Impleaded as per Order of the Court dt.27.08.2024 in Crl.OP(MD). 14048/2024)

For Petitioner : M/s. JOSEPH JERRY.A., Advocate

For Respondent : Mr.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

<https://www.mhctn.gov.in/juds> PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :- For Anticipatory Bail in Crime No. 94 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.94 of 2024, for the offence punishable under Sections 147, 294(b), 354C, 509 and 506(i) IPC and Section 4 of TNPHW Act and Sections 66E of IT Act, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the second accused has recorded a video while the defacto complainant was taking bath and circulated in the same in the whatsapp group. Thereafter on 01.06.2024, A1, A2 and A9 came to the defacto complainant's house and A1 sexually harassed her and the other accused assaulted her and threatened her with dire consequences. Hence, the case.

3.The learned counsel appearing for the petitioners submits that in this case, the fifth accused was granted anticipatory bail. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police raised serious objections to grant anticipatory bail stating that the petitioners' mobile phones have to be recovered to find out the nexus of the petitioners with the commission of offence and the communications if any made by them. The mobile



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phones can be recovered only after the arrest. The learned Government Advocate (Crl.Side) submits that the respondent police are taking steps to move cancellation of anticipatory bail for the fifth accused.

5. Considering the nature of offence and also considering the objections raised by the learned Government Advocate (Crl.Side) that the petitioners' mobile phones are yet to be recovered, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
06/09/2024

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/09/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO
1 THE INSPECTOR OF POLICE,
ODAIPATTI POLICE STATION,
THENI DISTRICT.

2 THE SUPERINTENDENT OF POLICE,
THENI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.14048 of 2024
Date :06/09/2024

SA/SG/SAR. /13.09.2024/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.