



CRL OP(MD). No.14980 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 D.BHARATHA CHAKRAVARTHY

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1. Karunakaran
2. Devisri
3. Lingam @ Linganatchan
4. Senthamil @ Sentamilselvan

... Petitioners/ A1 to A4

Vs

The Sub-Inspector of Police,
All Women Police Station,
Melur.
Crime No.24 of 2024

... Respondent/ Complainant

For Petitioners: Mr.A.Gnanasekar,
Advocate.

For Respondent : Mr.A.Albert James
Government Advocate(Crl. side)

For Intervenor : Mr.Kannan Gurusamy

PRAYER :- For Anticipatory Bail in Crime No.24 of 2024 on the file of the
Respondent police.



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ORDER : The Court made the following order :-

The petitioners /Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417 of IPC and 67(b) of Information Technology (Amendment) Act, 2008 in Crime No.24 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner threatened the defacto complainant that he would share her intimate pictures. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the fact that the first petitioner and the defacto complainant is said to have an affair and defacto complainant is alleging that on every occasion, she was only forced and was threatened and the fact that the first petitioner threatened and married the defacto complainant and considering the further allegations that the first petitioner is threatening to share some of the pictures of the defacto complainant and considering the fact that, as on date, the he has not shared any pictures and considering the argument of the learned Counsel for the petitioners that petitioners had never shared any picture nor they will do so in future and that the petitioners would voluntarily surrender his cell phones before the respondent



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police and if any pictures except the marriage picture is found, the same can be deleted, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(c) As undertaken, an affidavit stating that the petitioners would voluntarily



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surrender their cell phones before the respondent police and if any picture except the marriage picture is found, the same can be deleted, shall also be filed before the learned Magistrate concerned.

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

(e)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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.

JBR



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TO
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1 THE JUDICIAL MAGISTRATE
MELUR, MADURAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT

3 THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, MELUR.

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1 CC to M/s.A.GNANASEKAR, Advocate (SR-11008[I] dated 09/09/2024)

ORDER
IN

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Date : 06.09.2024

BV/SAR- /20/09/2024/5P/6C

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