



CRL OP(MD). No.15844 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Charles Gnana Suthan

... Petitioner/ Accused No. 1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Rathapuram Police Station,
Tirunelveli District.
(Crime No.172 of 2023).

... Respondent/Complainant

For Petitioner : Mr.G.Aravinthan, Advocate.
for M/s.Aran Legal Consultancy,

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

Petition for anticipatory Bail under section 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 172 of 2023 on the file of the respondent Police.



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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 354A, 354D, 506 (i) IPC r.w, Section 67 of Information Technology Act, in Cr.No. 172 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that when the defacto complainant did not continue the relationship with the petitioner, the petitioner threatened her and also uploaded her picture in the social media and also forwarded to her relatives. Hence, the complaint.

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

4. Considering the facts and circumstances of the case and considering the nature of allegation that when the defacto complainant did not continue the relationship with the petitioner, the petitioner threatened her and also uploaded her picture in the social media and also forwarded it to her relatives, only considering the fact that the said picture is the actual picture of the defacto complainant, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and 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 of this order, before the learned Judicial Magistrate,



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Radhapuram, 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 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 petitioner shall report before the respondent police daily at 10.30 am 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) the petitioner shall not tamper with 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 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;



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229-A IPC.

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

sd/-
20/09/2024

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/10/2024
Sub-Assistant Registrar (C.S.I, II, III, IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. The Judicial Magistrate,
Radhapuram.
2. To through the Chief Judicial Magistrate,
Tirunelveli District
3. The Inspector of Police
Radhapuram Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High court, Madurai.

+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-11527[I] dated 20/09/2024)

ORDER
IN
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Date :20/09/2024



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PSN/MMS /SAR/ (07/10/2024) 5P/6C

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