



CRL OP(MD). No.16123 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Saritha,

... Petitioner/ Accused Rank Not Known

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Silaiman Police Station,
Madurai District
(Crime No. 136 of 2024).

... Respondent/Complainant

For Petitioner : M/s. Ilayaraja.R.,
Advocate.

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

For intervenor : Mr. I. Mohammed Ibrahim, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 136 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 354(c), 294(b), 328, 376, 386, 342 and



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506(ii) IPC in Crime.No.136 of 2023, seeks anticipatory bail.

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2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent Police and the learned counsel for intervenor and perused the materials available on record.

3. The learned counsel for the intervenor would submit that the transfer of investigation application is pending and absolutely, no amount is recovered neither the video is also deleted and hence, he prays for dismissal of this petition.

4. Considering the nature of allegations in this case that the first accused is said to have wrongfully recorded a video of the defacto complainant's bathing and thereafter, said to have used the video periodically to have penetrative sexual assault on her and thereafter, further used the video to extract money and in the course of the proceeding a sum of Rs.2,00,000/- which was given by the defacto complainant to the first accused was also deposited in the account of the present petitioner, who is the wife of the first accused and considering the fact that all the allegations in this case pointed out mainly with reference to the said SenthilKumar, who is the prime accused and the allegations being serious in nature and only considering the fact that the petitioner is the wife of the first accused and that the petitioner is ready and willing to deposit a sum of Rs.2,00,000/- without prejudice to his contentions before the trial Court, I am inclined to enlarge the petitioner on anticipatory bail with certain



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conditions.

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5. 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 of this order, before the learned Judicial Magistrate No.II, Madurai, 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) As per the undertaken, the petitioner shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.136 of 2024, before the Court concerned, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(c) 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;

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



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investigation or trial;

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(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 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/-
27/09/2024

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

TRP

TO

1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
MADURAI DISTRICT.



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

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-11899[I] dated 27/09/2024)

ORDER
IN
CRL OP(MD) No.16123 of 2024
Date :27/09/2024

SA/JGB/SAR. /17.10.2024/5P/6C

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