



CRL OP(MD). No.17695 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17695 of 2024

Keshav R

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Awps Thallakulam Police Station,
Madurai District.
Cr.No.46 of 2024..

... Respondent/Complainant

For Petitioner : M/s.Praveen Kumar,
Advocate.

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

For Intervener : Mr.H.Mohammed Farook, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Cr.No.46 of 2024 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 75,79 and 351(3) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 1998 in Crime.No.46 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein is threatening the defacto complainant with explicit photos of their intimate moments and he has also interfering with her marriage proposals and blocking alliances. Hence, the complaint.

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

4. Considering the nature of allegations in this case that the petitioner is said to have been in a relationship with the defacto complainant in the past and even though they are not continuing the relationship, the petitioner is said to have been threatening the defacto complainant sending obnoxious messages and also trying to



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contact the alliances which is being made for the defacto complainant. The case turns out to be serious in nature. However, only considering the argument of the learned counsel of the petitioner that the petitioner is working in a proper employment and he is no more interested in continuing any kind of relationship with the defacto complainant, I am inclined to enlarge the petitioner on bail. But however. On certain conditions, including the condition to surrender the mobile phone.

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;



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(b) As per the undertaking, the petitioner shall surrender the mobile phone before the respondent Police. The petitioner shall file an undertaking that he shall not post any messages relating to the defacto complainant in any media and shall use his social media accounts only for official and communication purposes.

(b)the petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

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

sd/-
18/10/2024

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/11/2024

Sub-Assistant Registrar (CS-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,
AWPS THALLAKULAM POLICE STATION, MADURAI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.17695 of 2024

Date :18/10/2024

RK/ GSV(21/11/2024) 5P / 5C

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