



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Thirtieth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22530 of 2015

G. KALYANAMOORTHY @ JEGATHEESH

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
SOUTH THAMARAIKULAM POLICE STATION,
THROUGH
THE LEARNED PUBLIC PROSECUTOR,
NAGERCOIL.
(CRIME NO. 467/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.MUTHUVIJAYAPANDIAN Advocate

For Respondent : M/S.P.KANNIDEVAN Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

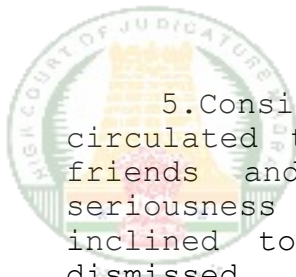
ORDER : The Court Made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 14.11.2015 for the alleged offences punishable under Sections 66A, 66E, 67, 67A of the Information Technology Act, in Crime No.467 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. Due to some dispute with regard to dowry, both of them were living separately and she gave complaint, While so, the petitioner misused the intimate photographs taken by him by circulating in E-mails to his friends and also forwarded to the defacto complainant.

3.The case of the petitioner is that the petitioner is an innocent person and he was not using the E-mail for long time and the defacto complainant knows the E-mail ID and password of the petitioner. Due to the dispute between them, the defacto complainant filed a petition for maintenance in M.C.No.5 of 2015 before the Judicial Magistrate NO.III, Nagercoil and she has filed a petition in D.V.O.P.No.1134 of 2014 before the very same Court against this petitioner and his family members and this Court granted anticipatory bail to the in-laws.

4.The learned Government Advocate (Crl.side) submitted that the petitioner and the defacto complainant are husband and wife and the petitioner has misused the intimate photographs of the defacto complainant taken by him by circulating the same to his friends and the defacto complainant and the investigation is pending.



5.Considering the charges levelled against the petitioner that he has circulated the intimate photographs of the defacto complainant to his friends and the defacto complainant, investigation is pending and seriousness of the charges levelled against the petitioner, I am not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

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sd/-
30/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, NO.III, NAGERCOIL.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE
SOUTH THAMARAIKULAM POLICE STATION,
THROUGH
THE LEARNED PUBLIC PROSECUTOR, NAGERCOIL.
 - 5 THE OFFICER INCHARGE, SUB JAIL, NAGERCOIL.
- +1. CC to M/S.P.MUTHUVIJAYAPANDIAN Advocate SR.No. 68304.
- TS/01.12.2015/2P-7C/ NGM-SS/SAR - II

ORDER
IN
CRL OP(MD) No.22530 of 2015
Date :30/11/2015