



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

Tuesday, the Twelfth day of April Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.24295 of 2015

S. KALYANI ... PETITIONER/DEFACTO COMPLAINANT/
DEFACTO COMPLAINANT

Vs

1 MARUTHUPANDIYAN ...1ST RESPONDENT/PETITIONER/SOLE ACCUSED

2 THE SUB INSPECTOR OF POLICE
KARIYAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

(CR.NO. 379 OF 2015) ... 2ND RESPONDENT/RESPONDENT/COMPLAINANT

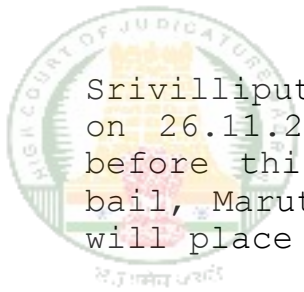
Criminal Original Petition filed under Section 439(2) of Cr.P.C praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to cancel the anticipatory bail granted to the 1st respondent herein made in CR.M.P.NO. 7174 of 2015 dated 26.11.2015 on the file of the learned Principal Sessions Judge, Srivilliputtur and pass such or other suitable order as this honourable court

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S B.SENTHIL KUMAR Advocate, for the petitioner and of MR.D.SENTHIL Advocate for R1 and MR.A.P.BALASUBRAMANI Government Advocate(Crl.Side) for R2,the court made the following order:-

This petition has been filed to cancel the anticipatory bail granted to the first respondent herein made in Cr.M.P.No.7174 of 2015 dated 26.11.2015 on the file of the learned Principal Sessions Judge, Srivilliputtur.

2. On the complaint lodged by Kalyani, the respondent police registered a case in Cr.No.379 of 2015 on 21.11.2015 for the offences under Sections 354(c) and 509 I.P.C. r/w 67 of Information Technology Act against Maruthupandiyar.

3. The crux of the allegation in the F.I.R. is that Maruthupandiyar had placed photos of Kalyani's daughter in the face book and whatsapp in a very derogatory manner. It is seen that the Principal District and Sessions Judge, Virudhunagar District at



Srivilliputtur had granted anticipatory bail in Cr.M.P.7174 of 2015 on 26.11.2015 to Maruthupandiyan. Challenging which, Kalyani is before this Court on the ground that after grant of anticipatory bail, Maruthupandiyan continuous to threaten the petitioner that he will place the photographs of his daughter.

4. On notice, Mr.D.Senthil, learned Counsel entered appearance for Maruthupandiyan. Today, Maruthupandiyan is present before this Court and he has filed an affidavit before this Court, wherein he has unconditionally stated that he will not publish any photographs and word messages about the petitioner's daughter in any social media and public area.

5. Recording his undertaking, this Court gives a stern warning to Maruthupandiyan that if he indulges in publishing any photographs of the petitioner's daughter anywhere, it is open to the police to register a fresh F.I.R. and take action against him, apart from criminal contempt action for violation of undertaking given by him to this Court.

6. In view of the above, this Court is of the view that this is not a fit case to cancel the anticipatory bail. Hence, this Criminal Original Petition is dismissed.

sd/-

12/04/2016

/ TRUE COPY /

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

TO

1 THE SUB INSPECTOR OF POLICE
KARIYAPATTI POLICE STATION,VIRUDHUNAGAR DISTRICT.

2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO: THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR .

ORDER

IN

CRL OP(MD) No.24295 of 2015

Date :12/04/2016

AA/GSV-PM/SAR-I/29.04.2016/2p-4c