



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

Wednesday, the Fourteenth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.3997 of 2018

1 LEO MATHEW

2 D.DANIEL ABRAHAM

... PETITIONERS / ACCUSED
(RANK NOT KNOWN)

Vs

STATE; REPRESENTED BY
THE INSPECTOR OF POLICE
CYBER CRIME CELL-CCB,
TIRUNELVELI CITY.
IN CR.NO. 8/2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.T.A.EBENEZER Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Cr1. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 500, 505(1)(b) and 506(i) IPC, in Crime No.8 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners are said to have put the defamatory words in social media against the defacto complainant and published the same. Thus, on complaint, a case has been registered against the petitioner.

3.The learned counsel appearing for the petitioners would submit that the the petitioners are an innocent persons and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) would submit that investigation of the case is pending.



5. The submissions made by the learned counsel appearing on either side are considered. It is alleged, during the time of occurrence, the petitioners published some defamatory words against the defacto complainant through social media, for which, a case has been registered. Considering the facts and circumstances of the case, this Court came to the conclusion that the custodial interrogation of the petitioners may not be necessary for completing the investigation. Hence, this Court is inclined to grant anticipatory bail with some stringent conditions to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Thirunelveli, on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 condition that:

(i) the petitioners shall appear before the respondent Police daily at 10.00 a.m. until further orders.

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioners shall not abscond either during investigation or trial.

(iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

sd/-
14/03/2018

/ TRUE COPY /

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



trp
TO

1 THE JUDICIAL MAGISTRATE NO.I, THIRUNELVELI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE
CYBER CRIME CELL-CCB, TIRUNELVELI CITY.

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

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.4078

GJM/RR/CSL/SAR-I-27.3.18-3P-6C

ORDER

IN

CRL OP(MD) No.3997 of 2018

Date :14/03/2018