



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

Date : 05/09/2019

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.12355 of 2019

Jothipasu

... Petitioner/Sole Accused

Vs

State rep.by

The Sub Inspector of Police,
Bodinayakanur Town Police Station,
Theni District
(Crime No.695 of 2019).

... Respondent/Complainant

For Petitioner : M/s.S.Vanchinathan, Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.695 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioner is in custody since 11.08.2019, for the offence under Sections 504 and 505(i) of I.P.C. and Section 2 of the Prevention of Insults to National Honour Act, 1971 and Section 66(f) of Information Technology Act, 2000.

2.Crime No.695 of 2019 came to be registered against the petitioner as he shared a highly offensive post in facebook. Continued incarceration of the petitioner is not going to advance the case of investigation.

3.Taking note of the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

[a] the petitioner is ordered to be released on bail on his executing 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



[b] the petitioner shall report before the respondent police as and when required for the interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
05/09/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, BODI, THENI DISTRICT

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT JAIL, THENI.

4 THE SUB INSPECTOR OF POLICE
BODINAYAKANUR TOWN POLICE STATION, THENI DISTRICT

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

+1 CC to M/s.S.VANCHINATHAN, Advocate (SR-14897[I] dated 05/09/2019)

ORDER IN
CRL OP(MD) No.12355 of 2019
Date : 05/09/2019

IAS
ES/PN/SAR 1/05.09.2019/2P/7C

<https://hcservices.ecourts.gov.in/hcservices/>