

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.7668 of 2021

Venkatesan

... Petitioner

Vs.

The Sub-Inspector of Police,
Avinankudi Police Station,
Cuddalore District.
in Crime No.38 of 2021

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in Crime No.38 of 2021 on the file of respondent Police.

For Petitioner : Mr.S.Saravana Kumar

For Respondent : Ms.M.Prabhavathi
Additional Public Prosecutor

O R D E R

The petitioner who was arrested and remanded to judicial custody on 28.03.2021 for the offence under Section 67 of I.T.Act, 294(b), 509 and 506(ii) of I.P.C. in Crime No.38 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the accused in this case morphed the photograph of the defacto-complainant's wife and uploaded and posted in the facebook.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that a bare perusal of the FIR would disclose that the complaint has been lodged against one Aravinth and not against this petitioner.

4.The learned Additional Public Prosecutor submitted that there is no specific allegation against the petitioner and further submitted that investigation is pending.

5.Considering the fact that there is no specific allegation against the petitioner, I am inclined to grant bail to the petitioner.

6.Accordingly, 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Tittakudi Taluk, Cuddalore and on further condition that:

(a)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;

(b)the petitioner shall report before the respondent police, daily at 10.30 a.m. until further orders;

(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 petitioners 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;

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

-sd/-

30/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

WEB COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
TITTAKUDI TALUK, CUDDALORE

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE (FOR INFORMATION)

3 THE SUB INSPECTOR OF POLICE
AVINANKUDI POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

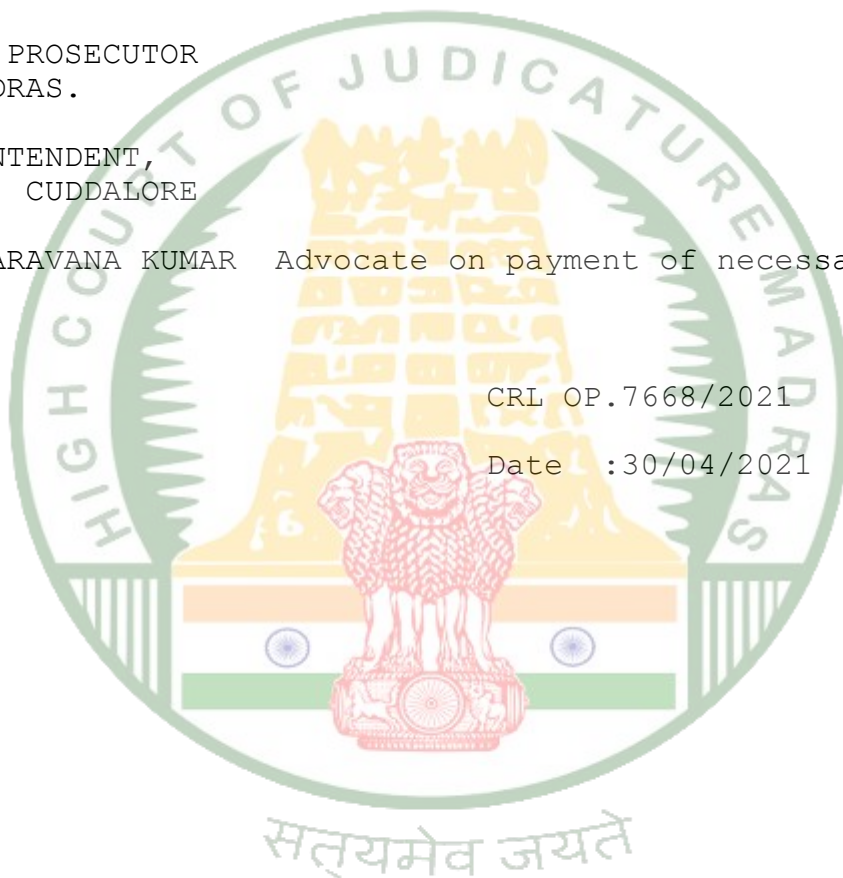
5 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

CC to S.SARAVANA KUMAR Advocate on payment of necessary charges

CRL OP.7668/2021

Date :30/04/2021

RVR 03/05/2021



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