



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Thirteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14238 of 2021

V.MUNIKRISHNAN

[ PETITIONER / ACCUSED ]

Vs

STATE

[ RESPONDENT ]

THE INSPECTOR OF POLICE,  
HOSUR TOWN POLICE STATION,  
KRISHNAGIRI DISTRICT.  
(CRIME NO.758/2020)

For Petitioner : M/S. M.P.SARAVANAN Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Sections 67A, 67B of Information Technology Act and Section 15 of Protection of child from sexual offences act in Crime No.758 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that the complaint has been received from the ''National Centre for missing and exploited children'' alleging that the petitioner had downloaded and circulated pornographic and obscene materials concerning children through his mobile phone. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent persons and he has been falsely implicated in this case. He further submitted that the phone numbers of the petitioner and the alleged numbers to which the materials are stated to be shared are not found in FIR and the section 15 of the IT Act is not attracted in this case and since he has not used it for commercial purpose. Hence, he prays for grant of bail to the petitioner.



4.The learned Government Advocate would submit that this is the second anticipatory bail application of the petitioner. The complaint has been given by the ''National Centre for missing and exploited Children'' who have been monitoring people engaged in sharing and circulating of pornographic material concerning children. During their watch, the said Commission found that the petitioner has downloaded and circulated pornographic materials concerning children through his mobile number. The involvement of the petitioner is fixed through the IP number of his mobile phone. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Considering the gravity of offence and already earlier petition was dismissed by this Court and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition is dismissed.

-sd/-  
13/08/2021

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

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

TO

1 THE INSPECTOR OF POLICE,  
HOSUR TOWN POLICE STATION,  
KRISHNAGIRI DISTRICT.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S. M.P.SARAVANAN Advocate on payment of necessary charges

CRL OP.14238/2021

Date :13/08/2021

CSK 25/08/2021