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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.15013 of 2021

Christy Anthuvan

... Petitioner

Vs.

The State rep by,
The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.
(Crime No.258 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C prayed to enlarge the petitioner on bail in Crime No.258 of 2021 pending investigation on the file of the respondent.

For Petitioner : Mr.E.Kanndasan

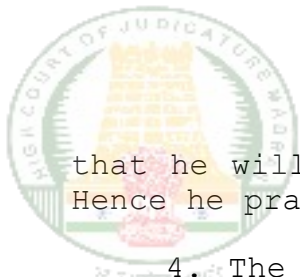
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 06.08.2021 for the offences under Sections 292(A), 499, 500, 503 of IPC and Section 67 of Information Technology Act, 2000, in Crime No.258 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is alleged to have posted abusive post about Former Chief Ministers and eminent Personality and defame their name in Twitter. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is not involved in the offence and he has been falsely implicated. He further submits that he is in jail from 06.08.2021. He further submits that he is ready to file an affidavit of undertaking before the trial Court at the time of furnishing sureties stating



that he will not do any such comments against any persons in future. Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there is no previous case pending as against the petitioner.

5. Considering the affidavit of undertaking before the trial Court at the time of furnishing sureties stating that he will not do any such comments against any persons in future and considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

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, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Krishnagiri, 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 is directed to file an affidavit of undertaking before the trial Court stating that he will not do any such comments against any persons in future.

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

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]; and;



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

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-sd/-
24/08/2021

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 JUDICIAL MAGISTRATE NO.I,
KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KRISHNAGIRI TOWN POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, HOSUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. E.KANNADASAN Advocate on payment of necessary charges SR.NO.8975

CRL OP.15013/2021

Date :24/08/2021

CSK 25/08/2021