



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Second day of September Two Thousand Twenty One

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.17045 of 2021

MANICKAM

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
SRIPERUMBUDUR ALL WOMEN POLICE STATION,
KANCHEEPURAM DISTRICT.
CR.NO.6/2021.

[RESPONDENT]

For Petitioner : M/S. G.MAGESHKUMAR 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 the alleged offence under Sections 67 Information Technology Act r/w Sec.12 of POCSO Act, in Crime No.6 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had sent his half nude photo to the school group and he was chatting with his girl friend and exchanged photos between ourselves, inadvertently he sent a photo to a school group. Hence, the complaint was given by the School Headmaster, the case has been registered.

3.The learned counsel appearing for the petitioner submit that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side).appearing for the respondent submitted that the petitioner was working as a System & Network Admin in the computer department in the defacto complainant school. He further submitted that he had sent his half nude photo to the school group and he was chatting with his girl friend and



exchanged photos between ourselves, inadvertently he sent a photo to a school group. Hence, the complaint was given by the School Headmaster. He further submitted that there is no victim in this case. However, he vehemently opposed for grant of anticipatory bail to the petitioner..

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5. Considering the fact that except this allegation, no other allegation against this petitioner and there is no previous case pending as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 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;



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

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-sd/-
22/09/2021

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

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

TO

1 THE SPECIAL COURT FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
CHENGALPATTU.

2 THE INSPECTOR OF POLICE,
SRIPERUMBUDUR ALL WOMEN POLICE STATION,
KANCHEEPURAM DISTRICT.

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S. G.MAGESHKUMAR Advocate on payment of necessary
charges SR.NO.10436

CRL OP.17045/2021

Date :22/09/2021

INBA 01/10/2021