



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.OP.No.12905 of 2022

Thangadurai

..Petitioner/A1

Vs.

State Represented by
The Station House Officer,
CCD-II, (Cyber Crime),
Cuddalore Police Station,
Cuddalore District

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.6 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.M.Rahamath Ali

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.04.2022 for the offences punishable under Sections 292(2)(a), 465, 469, 471 of IPC and 67 of Information Technology Act in crime No.6 of 2021 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner along with other accused morphed the photograph of the victim along with a neighbour as if they are in relationship and posted in whats app. Hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he seeks for grant of bail to the petitioner.



4.The learned Additional Public Prosecutor would submit that the petitioner after morphing the photograph of the victim, he also posted the photo in whats app. He would further submit that the petitioner was arrested and remanded to judicial custody on 20.04.2022. As such, he vehemently opposed to grant bail to the petitioner.

5.It is seen that the petitioner along with other accused morphed the photograph of the victim along with neighbour as if they are in relationship for the reason that the petitioner fell in love with the victim and as such he posted the photo in whats app. Further he was arrested and remanded to judicial custody on 20.04.2022.

6. Considering the above facts and circumstances of the case and the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioner. 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.III, Cuddalore and on further conditions 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 stay at Chennai and report before the Inspector of Police, Egmore Police Station, Chennai daily at 10.30 a.m. and 05.30 p.m. for a period of two weeks and thereafter report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of two weeks and thereafter as and when required for 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/-

07/06/2022

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.III, CUDDALORE

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE (FOR INFORMATION)

3 STATION HOUSE OFFICER,
CCD-II, CYBER CRIME,
CUDDALORE POLICE STATION,
CUDDALORE DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

6 THE INSPECTOR OF POLICE,
EGMORE POLICE STATION,
CHENNAI

CC to M/S A.M.RAHAMATH ALI Advocate on payment of necessary charges Sr.8545

CRL OP.12905/2022

Date :07/06/2022

RVR 08/06/2022