



Crl.OP.No.15625 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 153 & 504 of IPC, Section 67 of Information Technology Act, 2000 and Section 92 of Rights of Challenged Persons Act, 2016 in Crime No.45 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein had uploaded a video in his youtube channel which is alleged to be abusive against visually impaired people. Hence, an association striving for welfare of visually impaired people lodged a complaint before the Respondent Police.

3. Therefore, the petitioner had also deleted the video which was circulated in the Social Media.

4. Considering the above facts and circumstances, this Court is



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inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner shall execute an undertaking affidavit before the learned Magistrate concerned undertaking not to indulge in any similar kind of illegality in future and on such filing of undertaking affidavit, 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 on which the order copy made ready, before the learned CCB-CBCID Metropolitan Magistrate, Chennai, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood related 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their



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identity.

[b] the petitioner shall execute an undertaking affidavit before the learned Magistrate concerned undertaking not to indulge in any similar kind of illegality in future.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[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]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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