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Crl.OP.No.16367 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2022

CORAM

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

Crl.OP.No.16367 of 2022

Vijayaraman

..Petitioner

Vs.

State Rep by,
Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai District.
(Crime No.476 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in the Crime No.476 of 2022
pending investigation before the respondent.

For Petitioner : Mr.R.C. Paul Kanagaraj

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 11.06.2022 for the offence under Sections 294(b), 153, 504,



Crl.OP.No.16367 of 2022

505(1)(b), 507, 506(1) of IPC and Section 67 of Information Technology Act, 2000 in crime No.476 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 11.06.2022, *de-facto* complainant lodged a complaint before the respondent Police stating that he is a member of a political party and the petitioner is running a photo studio in the name and Style of Vijay Studio and he is also having a twitter account in the name vijayaraman@vijayaraman66. On 11.06.2022, the petitioner had posted a message in his twitter account and the contents in the message was in such a way of derogating the political image of the Chief Minister and because of the above message posted, there was a situation creating law and order problem. Hence, the complaint.

3. Even according to the case of the prosecution, he posted vulgar words as against the Minister and Chief Minister of Tamil Nadu criticizing various schemes.



CrI.OP.No.16367 of 2022

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4. Considering the above facts and circumstances of the case, and also the period of incarceration of the petitioner from the date of his arrest i.e. 11.06.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner shall file an undertaking affidavit before the learned Magistrate concerned undertaking not to indulge in any similar kind of activities in future and on such undertaking, 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 blood related sureties, each for a like sum to the satisfaction of the **learned Judicial Magistrate-I, Mayiladuthurai** 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 report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m., until further orders.

[c] the petitioner shall file an undertaking affidavit before the learned Magistrate concerned undertaking not to indulge in any similar kind of activities in future, at time of execution of bond.

[d] the petitioner shall not abscond either during investigation



Crl.OP.No.16367 of 2022

or trial.

[e] the petitioner shall not tamper with evidence or witness 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 absconds, a fresh FIR can be registered under Section 229A IPC.

18.07.2022

mpl



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CrI.OP.No.16367 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate-I,
Mayiladuthurai.
- 2.The Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai District.
- 3.Central Prison,
Nagapattinam.
- 4.The Public Prosecutor,
High Court of Madras

CrI.O.P.No.16367 of 2022

18.07.2022