



Crl.O.P.No.21290 of 2022

Crl.O.P.No.21290 of 2022

WEB COPY

A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 67A of the Information Technology Act, 2000 in Crime No. 337 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner had uploaded abusive and intimidating content in the Whatsapp Group pointing out the encroachments made by the shopkeepers who have occupied part of the road in Pudupet area. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is a resident and show owner in the particular area. The defacto complainant and his members have been parking the vehicles and putting the scrap materials in the streets, causing serious troubles and hindrance to the commuters and the residents in the area and it was objected to by



Crl.O.P.No.21290 of 2022

the petitioner and thereby, a false complaint has been given against him.

The petitioner is a citizen involved in Social Service activities and he has been falsely implicated in this case. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner had posted the abusive and intimidating content against the members of the defacto complainant Association and thereby, a case has been registered. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel and perused the materials available on record.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;



WEB COPY

7. 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 on which the order copy made ready, before the learned XIV Metropolitan Magistrate, Egmore, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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, 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 identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one week and thereafter, as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



WEB COPY



Crl.O.P.No.21290 of 2022

A.D.JAGADISH CHANDIRA, J.

rgi

[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]**.

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

05.09.2022

rgi

Crl.O.P.No.21290 of 2022