



CrI.O.P.No.24553 of 2022

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**A.D.JAGADISH CHANDIRA,J.**

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 153, 500, 504, 505(1)(b), 505(1)(c) of IPC in Crime No.11 of 2022, seek anticipatory bail.

2. The case of the prosecution is that, the petitioner who was running You Tube channel in the name of "Srimathi Post mortem Report" had conducted parallel investigation detriment to the investigation conducted by the State. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and false complaint has been lodged against him. He would further submit that, the petitioner had shared his views in the social media as per the rights guaranteed to him under Article 19 of Constitution of India, other than that he had not exceeded his limit. Thereby, he seeks anticipatory bail.



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4. The learned Government Advocate (CrI. Side) would submit that, there was a riot taken place at Sakthi Matriculation Higher Secondary Schoold, Kaniyamoor, Kallakurichi District in respect of the suicide committed by the victim girl by name Srimathi. The petitioner, who was running You Tube channel in the name of "Srimathi Post mortem Report" had conducted parallel investigation detrimental to the investigation conducted by the State. He further submitted that, apart from this case, there is no previous case pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail with certain conditions.

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 on which the order copy made ready, before the **learned Judicial Magistrate, No.2, Kallakurichi** on condition that the petitioner shall execute seperate 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 twice daily at 10.30 a.m. and 05.30.p.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



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CrI.O.P.No.24553 of 2022

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.

**11.10.2022**

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