



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/05/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD). No.8760 of 2022

E.Manikandan

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Cyber Crime (Sipcot Limit),
Tuticorin District,
(Crime No.12 of 2022)

... Respondent/Complainant

For Petitioner : MR.KA.Raamakrishnan,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.12 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 23.03.2022 for the offences punishable under Sections 294(b), 353, 504 and 507 of IPC, Section 2 of Prevention of Insults to National Honor Act and Section 67 of IT Act, in Crime No.12 of 2022, on the file of the respondent police, seeks bail.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3.According to the learned counsel for the petitioner, the petitioner had ignorantly forwarded the message and that he was not the creator of the message. Even otherwise, the learned counsel submitted that he is willing to tender his unconditional apology for having forwarded such a message. The petitioner is in judicial custody from 23.03.2022 onwards. In view of the offer to tender apology by the petitioner, this Court is inclined to grant bail to



4. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate No.III, Tuticorin, Tuticorin District.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;

(iii) the petitioner shall give an duly sworn-in affidavit to the respondent police, tendering his unconditional apology for having degraded the police department of the Government of Tamil Nadu, as a pre-condition for grant of bail and undertaking to maintain good conduct and behaviour in future.

(iv) the petitioner shall not tamper with evidence or witness;

(v) the petitioner shall not abscond during trial;

(vi) 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]***.

sd/-

05/05/2022

/ TRUE COPY /

05/05/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE - III,
TUTICORIN DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.



3 THE OFFICER INCHARGE,
DISTRICT JAIL, PERURANI, TUTICORIN DISTRICT.

4 THE INSPECTOR OF POLICE
CYBER CRIME (SIPCOT LIMIT),
TUTICORIN DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8760 of 2022
Date :05/05/2022

SJI/LM
MK/JM/SAR.III/05.05.2022/3P/6C