



Crl.O.P.No.1782 of 2023

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WEB C **T.V.THAMILSELVI, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 352, 506(2) IPC read with Section 67 of Information Technology Act 2000 in Crime No.10 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the *de facto* complainant Baijilur Rahman @ Fazlur Rahman is that the petitioner posted abusive content in the whatsapp projecting the wife of the *de facto* complainant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that as per the *de facto* complainant Baijilur Rahman @ Fazlur Rahman is that the petitioner posted abusive content in the whatsapp projecting the wife of the *de facto* complainant. Hence, he opposed to grant



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anticipatory bail to the petitioner.

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

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.II, Manargudi**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties (out of which one surety must be a blood related surety) 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 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



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police on alternative days at 10.30 a.m., for a period of two months and thereafter as and when required.

[c]The petitioner is directed not to make any bad comment in the whatsapp or any of the social media.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

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