



Crl.O.P.No.6318 of 2023

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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 509 and 506(i) of IPC in Crime No.13 of 2020, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Mohan Kumar is that the accused had posted a message in twitter, damaging the reputation of the defacto complainant's wife and daughter along with their photos, since his phone call was not responded. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and due to dispute between them, a false complaint has been given. He would submit that there was a wordy quarrel between them. Out of frustration, the petitioner had posted the photo in the Twitter and immediately, he had removed the same. He would also submit that the petitioner has filed an affidavit of undertaking that he will not interfere with the life of the defacto complainant and his



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wife and thereby, he prays for grant of anticipatory bail to the petitioner.

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4. The learned Government Advocate (Criminal Side) would submit that the petitioner threatened the defacto complainant and his wife and uploaded their photo in Twitter. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering into consideration the affidavit of undertaking filed by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 is made ready, before **the Judicial Magistrate Court-II, Sankari**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five**



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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 his Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall stay at Chennai and report before the Flower Bazaar Police Station every day at 10.30 a.m., for a period of four weeks and thereafter report before the respondent police every Saturday at 10.30 a.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.



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

31.03.2023

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