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CrI.O.P.No.12138 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2023

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THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.O.P.No.12138 of 2023

Rakesh Ranjan Singh

... Petitioner

Vs.

State rep. by
The Sub Inspector of Police
Cyber Crime,
Krishnagiri Police Station,
Krishnagiri District.
Crime No.10 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in Crime No.10 of 2023, pending on
the file of the respondent herein.

For Petitioner : Mr.B.Jawahar

For Respondent : Mr. C.E.Pratap

Government Advocate (CrI. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 27.03.2023, for the offences punishable under Sections 153, 153(A),
505(i)(b), 467, 468, 471 of IPC and Section 66 D of Information Technology
Act, 2000 in Crime No.10 of 2023 on the file of the respondent police, seeks
bail.



2. The case of the prosecution is that the petitioner, in order to create riot among the public, has falsely spread out the information in respect of the workers hailing from Bihar are being assaulted by the local people in a social media app and the video was also uploaded in Twitter and his Youtube Channel – BNR News Reporter Honey. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is aged about 22 years and without understanding the consequences, certain information has been uploaded in social media. He would further submit that the petitioner was arrested on 18.03.2023 and even before his arrest, the petitioner, after coming to know that it is a false news, had deleted the video from his Youtube Channel. He also submitted that the petitioner was earlier arrested in the similar case in Crime No.4 of 2023 registered by the Patna Police, when he was in custody, the petitioner was formally arrested by the respondent. He also submitted that the investigation is over and the parents of the petitioner are also ready to stand as surety to him and he is ready to abide by any stringent condition that may be imposed on him. Hence, he prayed for grant of bail to the petitioner.



4. The learned Government Advocate (Criminal Side) for the respondent vehemently opposed to grant bail to the petitioner stating that the petitioner, who is running Youtube Channel had uploaded false propaganda stating that the workers from the other states have been assaulted in Tamil Nadu and he had done it in order to create riot among the public. He would further submit that there is one previous case of similar in nature.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl. Side) and perused the materials available on record including the FIR.

6. Considering the above facts and circumstances of the case and the submissions made by the learned counsel on either side and the period of incarceration undergone by the petitioner and also considering the age of the petitioner and the video has also been deleted, this Court is inclined to grant of bail to the petitioner with certain conditions.

7. 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, out of which, one surety shall be the**



father or mother of the petitioner, each each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Krishnagiri**, and on further conditions that:

[a] 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 everyday at 10.30 a.m., until further orders ;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 abscond, a fresh FIR can be registered under Section 229A IPC.

06.06.2023

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To

1. The Judicial Magistrate No.II, Krishnagiri.
2. The Sub Inspector of Police
Cyber Crime,
Krishnagiri Police Station,
Krishnagiri District.
3. The Jailer,
BEUR Prison, Patna
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA,J.,

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