



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10.03.2023

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD).No.4588 of 2023

Chitra

... Petitioner / Accused

Vs

State represented by
The Inspector of Police,
Cyber Crime CCD III Police Station,
Madurai City.
(In Cr.No.1 of 2023)

... Respondent

For Petitioner : Mr.N.Balasubramanian, Advocate.

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER :-

For an Anticipatory Bail in Crime No.1 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is the accused, apprehending arrest at the hands of the respondent police for the offence punishable under Section 67 of Information Technology Act, 2008 and 509 of India Penal Code, 1860, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is running a Youtube channel in the name of Nila Media. One Womans Sun Media Channel is running by Sangeetha. In that channel, the alleged accused is transmitting or publishing obscene about the defacto complainant. Hence, the complaint.

<https://www.mhc.tn.gov.in/> and both sides and perused the materials available on



record.

4. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

WEB COPY

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to 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 police daily at 10.00 a.m. without fail, for a period of two weeks and thereafter as and when required for interrogation;

(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 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

10/03/2023

/ TRUE COPY /

/04/2023

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

VSD

<https://www.mhc.tn.gov.in/judis>



TO

1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI.

2 DO-THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
CYBER CRIME CCD III POLICE STATION ,
MADURAI CITY.

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

+1. CC to N. BALASUBRAMANIAN Advocate SR.No.3956, dt.10.03.2023.

ORDER

IN

CRL OP(MD) No.4588 of 2023

Date :10/03/2023

ED/VR/SAR-3 (10/04/2023) 3P 6C