



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

Date : 21/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD). No.11018 of 2023

WEB COPY

Muthukannan

... Petitioner/Sole Accused

Vs

The State Rep.by
Inspector of Police,
M.Pudupatti Police Station
M.Pudupatti,
Virudhunagar District
(Crime No.53/2022).

... Respondent/Complainant

For Petitioner : M/s.Anantha Murugan.S.M,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.53 of 2022 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

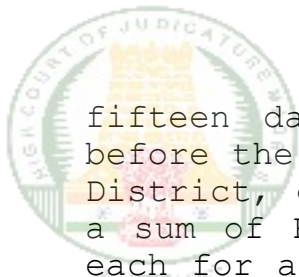
The petitioner/Sole Accused, who apprehends arrest at the hands
of the respondent police for the offences punishable under Section
67(B) (b) of Information Technology Act, 2000, in Crime No.53 of 2022
on the file of the respondent police, seeks anticipatory bail.

2.The allegation against the petitioner is that he had
seen/downloaded child pornography in the website through his
cellphone number 9361293754. Hence, the case.

3.Heard. Perused the materials available on record including
the First Information Report.

4.Taking into consideration of the facts and circumstances of
the case, this court is inclined to grant anticipatory bail to the
petitioner with certain conditions:

5.Accordingly, the petitioner is ordered to be released on bail
https://www.mhdcourt.gov.in/ on the date of arrest or on his appearance, within a period of



fifteen days from the date on which the order copy made, before the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District, 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 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 their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m., 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

21/06/2023

/ TRUE COPY /

/ 07 /2023

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

SJI

TO

1. The Judicial Magistrate No.II,
Sivakasi, Virudhunagar District.

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



2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District at Srivilliputtur.

3. Inspector of Police,
M.Pudupatti Police Station,
M.Pudupatti,
Virudhunagar District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-9399[I] dated
22/06/2023)

ORDER

IN

CRL OP(MD) No.11018 of 2023

Date :21/06/2023

RD/SKN (03/07/2023) 3P 6C