



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/07/2023
PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13088 of 2023

1.Mohamed Alman

2.Ajeemal Illzath

... Petitioner/Accused Rank
Not Known

Vs.

State through
The Inspector of Police,
Achanpudur Police Station,
Tirunelveli District.
In Crime No.115 of 2023.

... Respondent/Complainant

For Petitioners : Mr.JINNAH.S.M.A

Advocate.

For Respondent : Mr.B.NAMBISELVAN,

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

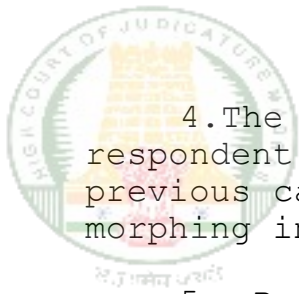
PRAYER :- For Bail in Crime No.115 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused rank not known, who were arrested on 28.06.2023 for the alleged offence under Sections 4 of TNPWH Act, in Crime No.115 of 2023 on the file of the respondent Police, seeks bail.

2. The prosecution case is that on 27.06.2023 the petitioners said to have morphed the photograph of the defacto complainant's daughter with another as if she was traveling with him, spread the same in social media. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in judicial custody from 28.06.2023. Due to previous motive, the petitioners have been falsely implicated in this case.



4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the second petitioner is having two previous cases at his credit. Further, he would submit that there is morphing in the above said video.

5. Perusal of records does not indicate the morphing in the above said video. It is the case of love affair, between the victim and the first accused.

6. Considering the facts and circumstances of this case and since the second petitioner is having two previous cases at his credit, among which, one is under Section 307 IPC, this Court is not inclined to grant bail to the second petitioner at this stage. So far as the first petitioner is concerned, considering that the period of incarceration, this Court is inclined to grant bail to the first petitioner only with certain conditions;

7. Accordingly, this Criminal Original Petition is partly allowed and only the first petitioner is ordered to be released on bail, on executing a personal 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 learned District Munsif Cum Judicial Magistrate, Shencottah, and on further condition that the 1st petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders. In respect of the petitioner No.2, this Criminal Original Petition is dismissed.

sd/-

18/07/2023

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18/07/2023

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

INDU

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, SHENCOTTAH.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL, TENKASI.

4 THE INSPECTOR OF POLICE,
ACHANPUDUR POLICE STATION, TIRUNELVELI DISTRICT.

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

ORDER IN

CRL OP(MD) No.13088 of 2023

Date :18/07/2023

SA/VR/SAR. /18.07.2023/2P/6C

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