



WEB COPY



CRL OP(MD). No.13565 of 2023

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

Date : 25/07/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN  
CRL OP(MD). No.13565 of 2023

Ajmal Illzath

... Petitioners/ Accused Rank Not Known

Vs.

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

... Respondent/Complainant

For Petitioners : Mr.S.M.A.Jinnah, 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 was 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.



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

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

5.The earlier bail application was dismissed by this Court in Crl.O.P(MD) No.13088 of 2023, dated 18.07.2023, on the ground that the petitioner is involved in two previous cases, among which, one is under Section 307 IPC.

6.The learned counsel for the petitioner would further submit that the in the above said case in Crime No.125 of 2017, the petitioner was acquitted by the learned Juvenile Justice Board, Tirunelveli, dated 11.03.2019 in Juvenile Justice Case No.19 of 2019, finding that he was a juvenile at that time of occurrence. The second case in Crime No.168 of 2017 has been registered, only due to the dispute between the Jamath Committee and the petitioner's family.

7.Considering the facts and circumstances of this case and considering the period of incarceration, this Court is inclined to grant bail to the petitioner only with certain conditions;



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8. Accordingly, this Criminal Original Petition is allowed and the 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, Shenkottai, on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-  
25/07/2023

/ TRUE COPY /

25/07/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

Indu

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, SHENKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE, ACHANPUDUR POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE OFFICER INCHARGE, SUB JAIL, TENKASI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.M.A.JINNAH, Advocate ( SR-11218[I] dated 25/07/2023 )

ORDER IN  
CRL OP(MD) No.13565 of 2023  
Date :25/07/2023

RS//SAR-(25.07.2023) 3P 7C  
Madurai Bench of Madras High Court is issuing  
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