



CRL OP(MD). No.22230 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/12/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.22230 of 2023

John Ravi @ John Ravindranath

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thanjavur CCD-III Police Station,
Thanjavur District.
(In Crime No.33 of 2023).

... Respondent/Complainant

For Petitioner : MR.N.ANANTHAPADMANABAN, Senior Counsel
for M/S.APN LAW ASSOCIATES

For Respondent : MR.RMS.SETHURAMAN, Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime no.33 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ sole accused, who was arrested and remanded to judicial custody on 22.10.2023 for the alleged offence punishable under Sections 294(b), 504 and 505(1)(b) IPC r/w. Section 67 of Information Technology Act, 2000, in Crime No.33 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein has posted a message

<https://www.mhc.trngov.in/judis>



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criticizing the ruling DMK party at IT Wing President, T.R.Balu, T.R.B.Raja in a derogatory words with an intention to create law and order problem in the society which is posted in his twitter handle. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that it is a second bail petition and the earlier petition filed by the petitioner was dismissed by this Court on 24.11.2023 in Crl.O.P(MD).No.21129 of 2023. He would further submit that affidavit received from the petitioner from jail and now, he has regretted for circulating the message containing filthy language in his twitter and he has also produced a copy of the same before this Court. He would further submit that the petitioner is in jail from 22.10.2023 and hence, he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner has created a law problem by posting the message criticizing the Ruling DMK party in Twitter and hence, he strongly objected to grant bail to the petitioner.

5. This Court has perused the affidavit filed by the petitioner and accepted the same.

6. Considering the fact that the petitioner has filed an affidavit and also considering the period of incarceration and also taking into consideration of the principle stated by the Honourable Supreme Court in Sanjay Chandra and others vs.



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CBI reported in (2012)1 SCC 40 and the nature of the offence alleged by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned Judicial Magistrate No.I, Thanjavur, and on further conditions that:

(i) the petitioner shall affix his photograph 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.

(ii) the petitioner shall appear before the trial Court on receipt of summons as directed by the trial Court.

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner shall not abscond during trial.

(v) 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].

(vi) If the accused thereafter absconds, a fresh FIR can be registered under



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Section 229A IPC.

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

trp

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, THANJAVUR
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE, THANJAVUR CCD-III POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M/S.APN LAW ASSOCIATES, Advocate (SR-17520[I] dated
11/12/2023)

ORDER IN
CRL OP(MD) No.22230 of 2023
Date :11/12/2023

RS//SAR-(11.12.2023) 4P 7C

Madurai Bench of Madras High Court is issuing
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