



Crl.O.P.No.2332 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.17 of 2024 registered by the respondent Police for the offences punishable under Sections 294(b) and 505(2) of IPC.

2. It is the case of the prosecution is that a complaint had been received that the petitioner had uploaded in the internet, comments about the Hon'ble Prime Minister and a State Party leader in Tamil Nadu.

3. The learned counsel for the petitioner was directed to file an affidavit that he would not repeat the same and would not instigate anybody else from putting up such post. An affidavit had been filed. But the learned Public Prosecutor(Puducherry) had expressed extreme dissatisfaction over the contents.

4. It is stated that an affidavit is not in conformity with the directions of this Court. Para 4 of the affidavit as follows:



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"I states that I am not uploaded any post in internet, Someone was uploaded in internet and I am not aware. In the said post was uploaded after that seeing my friends was informed to me and then only I known. Then immediately, I was deleted the said post in Internet. I was not any intention in the uploaded in the internet. Even though, I was undertaking affidavit for unconditional apology through this affidavit."

5. However, taking all the other factors into consideration this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Karaikal, Karaikal District, Puducherry**, 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:



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[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 everyday at 10.30 a.m., until further orders.

[c] Additionally, the petitioner must also file an undertaking before the Commissioner of Oath, Karaikal, that he would not put up any further comments as against any leaders and would also not instigate anybody else for put up any offending posts in the social media. He must also express regret for the post already put up. Let this be expressed in clear terms before the Commissioner of Oath, Karaikal at the time of executing the sureties.

[d] 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.



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[f] 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 petitioners 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]**.

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

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