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CrI.O.P.No.4062 of 2024

C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 153, 505(1)(b), 505(2) of IPC r/w Section 67A of Information Technology Act, 2000 in Crime No.247 of 2023, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner had uploaded not just statements but also objectionable photographs of those who had, according to him spoken ill of a belief, which he holds. The petitioner should not have uploaded objectionable photographs. He could raise his objections in words and that would be a different issue and he can claim right of speech, but once he uploads objectionable photographs, then he is answerable for the alleged offences.

3.Earlier application seeking anticipatory bail was dismissed on 06.12.2023 in CrI.O.P.No.27499 of 2023.



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4.It is stated that the objectionable posts are still available in the Twitter account of the petitioner. That clearly shows that the petitioner has intentionally committed the offence and has every intention to continue to commit the offence.

5.A counter affidavit has been filed stating that the petitioner is from Himachal Pradesh and therefore, there is every possibility of him absconding from judicial process. It is very clearly stated that the Twitter Post in [<https://twitter.com/dcshgb/status/1703257765228249579>] is still active and had not been deleted by the accused.

6.Taking all the factors into consideration, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

08.03.2024

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