

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.22070 of 2023

Immanuel

... Petitioner

Vs.

1. Madhusha W/o Abinavkumar Sing
2. Abhinav Kumar, S/o Santraram Sing
3. The State rep.by Inspector of Police,
S-10, Pallikaranai Police Station,
Chennai

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to set aside the order dated 10.03.20223 passed by the learned Judicial Magistrate No.II, Alandur in C.M.P.No.110 of 2023 in Cr.No.745 of 2022 consequently cancel the bail granted to the respondents 1 & 2.

For Petitioner : Ms.S.Arabu Nisha

For Respondents : Mr.A.Gopinath
Govt. Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to set aside the order dated 10.03.2023,

disposing of the application filed by the petitioner seeking for cancellation of bail granted in favour of the accused persons on the ground that the condition imposed by the Court was not complied and the videos in question was not removed from the Social Media Platform.

2. Heard Ms.S.Arabu Nisha, learned counsel for the petitioner and Mr.A.Gopinath, learned Government Advocate for the respondents.

3. The Court below had disposed of the application filed by the petitioner seeking for cancellation of the bail on the ground that the videos in question are not available on the Social Media Page and it was verified by both the parties in the open Court. Hence the Court came to a conclusion that the condition has been complied with and there is no ground to cancel the bail.

4. The learned counsel for the petitioner submitted that the defamatory video is available even now in the Social Media Platform.

5. The learned Government Advocate on instructions submitted

that the accused persons are continuing to upload certain videos which are controversial in nature.

6. Considering the above submission, liberty is granted to the petitioner to move a fresh application before the Court below, seeking for cancellation of bail granted in favour of the accused persons. The Court below shall satisfy itself as to whether the controversial videos are continuing in the Social Media and take appropriate action in accordance with law. Such decision shall be taken within a period of four (4) weeks from date of filing of the application by the petitioner and after affording opportunity to the accused persons.

7. This Criminal Original Petition is disposed of with the above directions and observations.

20.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To:

1. The Learned Judicial Magistrate No.II, Alandur.
2. The Inspector of Police,
S-10, Pallikaranai Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

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N.ANAND VENKATESH, J.

nst

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