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CRL O.P. No.25227 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.10.2024

CORAM

The Hon'ble Mr. Justice P.DHANABAL

CRL OP.No.25227 of 2024

V.R. Krishnakumar @ Varaaki ... Petitioner / Accused

Vs

1. State represented by:-

The Inspector of Police,
E1 Mylapore Police Station, Chennai.
[Cr . No.289 of 2024]

2. The Inspector of Police,
Central Crime Branch,
Vepery, Chennai.
[Impleaded vide order in
Crl. M.P. No.14367 of 2024
dated 29.10.2024]

.... Respondent / Complainant

PRAYER:- The Criminal Original Petition is filed under Section 483 of

B.N.S.S., praying to grant bail to the petitioner/Accused in Cr . No.289
of 2024 on the file of the respondent police.

For Petitioner : Mr. Rajkumar Pandian

For Respondent : Mr. S.Vinoth Kumar,
Government Advocate
(Criminal side)

ORDER



CRL O.P. No.25227 of 2024

WEB COPY

The petitioner / Accused, who was arrested on 12.09.2024 and remanded to judicial custody on 13.09.2024 for the offences punishable under Sections 294(b), 447, 189, 353, 387, 307 and 506(2) of IPC and Section 66D of Information Technology Act, 2000 in Cr. No.169 of 2024 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner has threatened the defacto complainant over phone under the guise of spreading fake news in the X Plat format War Room (@ War_Room) Varaki (@Varakijournals) and also forced him to register a document No.P66/2024 illegally in respect of the property worth about 300 crores involved in the Court case and also demanded Rs.5 lakhs and when the same was refused by the defacto complainant, the petitioner sent hooligans to his office and threatened him and also gave life threat over phone and also uploaded fake news of the defacto complainant along with his photo in the X Platform @ War Room in order to defame his reputation and to extort money and in continuation, on 10.09.2024, the petitioner sent hooligans to the house of the defacto complainant at



CRL O.P. No.25227 of 2024

Mylapore and tried to murder him. Hence the case.

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3. The learned counsel for the petitioner would contend that this petitioner has been falsely implicated in this case for the offences under Sections 294(b), 447, 189, 353, 387, 307 and 506(2) of IPC and Section 66D of Information Technology Act, 2000 and this petitioner was arrested and remanded to judicial custody on 13.09.2024. This case was registered against the petitioner based on the complaint given by the Sub-Registrar of Guduvanchery for wrecking vengeance as the petitioner had published certain news contents against the corruption activities of the defacto complainant. The petitioner is a journalist and Editor of Indian Reporter magazine and engaged in investigative journalism and his profile name is 'warroom official' and he is having accounts in other social platforms and he is voicing out against the corruption and the petitioner had filed several public interest litigations and as retaliation, the bureaucrats colluded together and foisted this false case against the petitioner for exposing their illegalities. The petitioner is an innocent and he is ready to abide by any condition imposed by this Court and



CRL O.P. No.25227 of 2024

hence, he prayed that the petitioner may be released on bail.

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4. The learned Government Advocate (Criminal Side) would submit that based on the complaint given by the defacto complainant, this case has been registered as against the petitioner in E1 Mylapore P.S. Cr. No.289 of 2024 for the offences under Sections 294(b), 447, 189, 353, 387, 307 and 506(2) of IPC and Section 66D of Information Technology Act, 2000 and during the course of investigation, it came to light that the petitioner is having previous cases of similar nature of demanding ransom by threatening and huge amount has been credited to the account of this petitioner and the cellphones seized from the wife of this petitioner were sent to forensic lab. Also the cars and copies of documents were also seized from this petitioner and the X account of this petitioner is to be scrutinized. Further, based on the order of the Commissioner of Police, Chennai, this case has been transferred from the respondent police to the file of Additional Commissioner of Police, CCB for further investigation. The petitioner is also involved in 5 other cases and hence he strongly opposed to grant bail to the petitioner.



CRL O.P. No.25227 of 2024

WEB COPY

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the nature of offences and nobody was injured in this case, and though the petitioner has some previous cases, all the cases are subsequent to the registration of FIR in this case, considering the period of incarceration of the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:

[a] 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 **XVIII Metropolitan Magistrate Court, Saidapet, Chennai** and on further conditions that:

[b] the petitioner shall report before the Villupuram police Station daily at 10.00 a.m. until further orders.



CRL O.P. No.25227 of 2024

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be



CRL O.P. No.25227 of 2024

registered under Section 229A IPC.

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29.10.2024

[2/2]

index: Yes/No

Internet: Yes/No

Speaking/Non Speaking order

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To

- 1.The XVIII Metropolitan Magistrate Court, Saidapet, Chennai
- 2.The Public Prosecutor, Madras High Court, Chennai.
- 3.The Inspector of Police,E1 Mylapore Police Station, Chennai.
4. The Inspector of Police, Central Crime Branch, Vepery, Chennai.
5. The Superintendent of Police, Central Prison, Puzhal-II, Chennai.

P.DHANABAL,J

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CRL.O.P. No.25227 of 2024



WEB COPY



CRL O.P. No.25227 of 2024

29.10.2024
[2/2]