



Crl.O.P.No.29227 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.659 of 2024 registered for the offences punishable under Sections 196, 296(b) of BNS, 2023 and Section 67 of Information Technology Act, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that, the petitioner had uploaded a abusive and filthy content against the sitting Minister in social media. Hence the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would submit that, the petitioner was driving his two wheeler in Karur Road, the Minister is convoy had gone in a rash and negligent manner and hit behind the petitioner's vehicle, due to which, petitioner got frustrated and had uploaded the abusive content in social media. He further submits that, the petitioner has also filed an affidavit expressing unconditional apology to the Hon'ble Minister. He would further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.



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4. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, would submit that, the petitioner is a daily wage worker and, he had posted an abusive and filthy content in the social media against a Hon'ble sitting Minister.

5. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record including the affidavit of apology, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Dharapuram**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 his 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] 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;

[e] 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]**;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

The affidavit of undertaking shall form part of Court records.

28.11.2024

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