



CRL OP(MD). No.9968 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

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Sasikumar,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Cyber Crime Police Station,
Theni District,
Crime No.17/2024.

... Respondent/Complainant

For Petitioner : Mr.Sasikumar.V,Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.17/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent

<https://www.mhc.tn.gov.in/judis>



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police for the offences punishable under Sections 153(A) and 506(ii) of IPC, in Cr.No.17 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner uploaded sensitive content in social media defaming the particular religion in order to obstruct religious harmony. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner undertakes to file an undertaking affidavit that he will not indulge in any such offence in future.

4.The learned Government Advocate(Crl.Side) would submit that the petitioner is having 4 previous cases and one is similar in nature. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the undertaking given by the petitioner, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni, on condition that the



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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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(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 file an undertaking affidavit that they will not indulge in any such offence in future, before the concerned Judicial Magistrate. On filing of such undertaking affidavit, the concerned Judicial Magistrate shall accept the sureties;

(c) the petitioner shall report before the respondent police daily at 10.30 am until further order;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(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 petitioner released on bail by the

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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]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
05/07/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RMK

TO

- 1 THE JUDICIAL MAGISTRATE,
THENI
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
CYBER CRIME POLICE STATION,
THENI DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.V.SASIKUMAR, Advocate (SR-7594[I] dated 08/07/2024)

ORDER
IN

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Date :05/07/2024

PKP/JGB/SAR /18.07.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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