



CRL OP(MD). No.10142 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2024

PRESENT

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

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Kesavan

... Petitioner/Sole Accused

Vs

The Sub Inspector of Police,
Krishnan Kovil Police Station,
Virudhunagar District.
Crime No.122/2024

... Respondent/Complainant

For Petitioner : M/s.J.Anandkumar, Advocate.

For Respondent : Mr.R.M.Anbunithi, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.122/2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) & 506(i) of IPC and Section 67 of Information Technology Act, in Crime No.122 of 2024, seeks anticipatory bail.



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2.The case of the prosecution is that on 26.06.2024, at about 06.12 p.m, the petitioner tagged a story in the Instagram page of the defacto complainant and abused him in filthy language and also criminally intimidated him. 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 would further submit that it is a case and case in counter. However, the petitioner is ready to file an undertaking affidavit that he will not indulge in such activities in future. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner and the defacto complainant are belong to different communities. Duo to clash between the petitioner's group and the defacto complainant's group, they tagged a story in the instagram page of each other and abused each other in filthy language. In this regard, counter case has also been registered against the defacto complainant. Apart from that, the investigation is in preliminary stage. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the willingness of the petitioner to file an undertaking affidavit before the trial Court that



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he will not indulge in such activities in future, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Environmental Committee Operated by Registrar (Judicial) [Account No.7633863037; MICR Code: 625019020, CIF No: 30602376727, IFSC Code: IDIB000H040, High Court Branch, Madurai (2001)], without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate No.2, Srivilliputhur.

7. On production of such receipt, 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.2, Srivilliputhur, on condition that the 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 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 report before the respondent police daily at 10.30 for a period of three weeks and thereafter, as and when required for interrogation;



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(c) the petitioner shall file an undertaking affidavit before the trial Court that he will not indulge in such activities in future.

(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 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/-

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

dss

TO

1 THE JUDIAL MAGISTRATE NO.2, SRIVILLIPUTHUR.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

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



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3 THE SUB INSPECTOR OF POLICE, KRISHNAN KOVIL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE SECTION OFFICER, ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.ANANDKUMAR, Advocate (SR-7662[I] dated 09/07/2024)

ORDER
IN

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Date :09/07/2024

RS/JGB/SAR-(19.07.2024) 5P 6C
Madurai Bench of Madras High Court is issuing
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