



CRL OP(MD). No.10665 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.10665 of 2024

Vijayakumara Raj

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Cyber Crime Tirunelveli City Police Station,
Tirunelveli,
Cr.No.9 of 2024.

... Respondent/Complainant

For Petitioner : Mr.S.Malaikani
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :- For bail in Crime No.9 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 12.06.2024 for the offences punishable under Sections 67 of the Information



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Technology Act, in crime No. 9 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner herein has uploaded the image of his own friend's wife along with the phone number and with a message as if she can be contacted for illegal purposes.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 12.06.2024.

4. The learned Public Prosecutor submits that the petitioner herein is alleged to have involved in serious offence, whereby, he has uploaded the image of his own friend's wife along with the phone number and with a message as if she can be contacted for illegal purposes and the investigation is almost over and the charge sheet will be filed shortly and therefore, bail should not be granted.

5. Considering the fact that the petitioner is arrested on 12.06.2024 and the investigation is almost completed, I am inclined to enlarge the petitioner on bail.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 Judicial Magistrate No.I, Tirunelveli.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent Police, daily at 10.30 am for a period of eight weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court.

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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



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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].

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

sd/-
05/08/2024

/ TRUE COPY /

05/08/2024
Sub-Assistant Registrar (CS-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3.THE INSPECTOR OF POLICE,
CYBER CRIME TIRUNELVELI CITY POLICE STATION,
TIRUNELVELI,
- 4.THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.



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

+1 CC to M/s.S.MALAIKANI, Advocate (SR-9433[I] dated 05/08/2024)

ORDER
IN
CRL OP(MD) No.10665 of 2024
Date :05/08/2024

RK (05/08/2024) 5P / 7C

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