



CRL OP(MD). No.13640 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13640 of 2024

Surya

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Cyber Crime Police Station,
Madurai District.
(Crime No. 13/2024.)

... Respondent/Complainant

For Petitioner : M/s. Dinesh Kumar.V, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no.13 of 2024 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/A2, who was arrested and remanded to judicial custody on 25.07.2024 for the offences punishable under Sections 66C, 67, 67A of Information Technology Act and Section 509 of IPC, in Crime No.13 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the mother of the victim. The petitioner and the other accused are said to have morphed the photo of the defacto complainant's daughter, who is already married and uploaded the same in the Social Media in the ID of Vip-premium. Hence, the complaint.

3. Heard both sides.

4. Considering the nature of the allegations that the petitioner is the administrator of the Telegram Premium Group, which collects viewing contents from the members and in that group, the defacto complainant's daughter's morphed picture was posted and considering the fact that the petitioner is in custody from 25.07.2024 and considering the argument of the learned counsel for the petitioner that the petitioner will leave the Telegram Premium Group and exit all the social media accounts and always use only button phones not smart phones, this Court is inclined to grant bail to the petitioner on certain conditions.



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5. 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 Judicial Magistrate No.1, Madurai.

(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) As undertaken, the petitioner shall file an affidavit before the trial Court that he will not use smart phone and he used only ordinary (button) phone for communication and he will exit all the Social Media Accounts;

(iii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

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

v) the petitioner shall not abscond during trial.

vi) 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].



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vii) If the accused thereafter abscond, a fresh FIR can be registered under

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Section 229A IPC.

sd/-
10/09/2024

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10/09/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

1.The Judicial Magistrate No.I,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Cyber Crime Police Station,
Madurai District.

4.The Officer Incharge,
Sub Jail, Melur.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.DINESH KUMAR, Advocate (SR-11089[I] dated 10/09/2024)



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ORDER

IN

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Date :10/09/2024

ED/ /SAR- (10/09/2024) 5P / 7 C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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