



CRL OP(MD). No.15131 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 18/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. K.Kannan

2. Thirupathi,

... Petitioners/ Accused No.5 & 4

Vs

The State of Tamil Nadu,  
Rep by the Inspector of Police,  
Thillainagar Police Station,  
Trichy City.

Crime No. 547/2024.

... Respondent/Complainant

For Petitioners : M/s.Karthikeyan.C,  
Advocate.

For Respondent : Mr.Veera Kathiravan  
Additional Advocate General  
Assisted by 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. 547 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 petitioners / Accused, who were arrested and remanded to judicial custody on 13.08.2024 for the offences punishable under Sections 55, 61, 224, 351(2), 353(2) BNS, 2023 and Section 67 of Information Technology Act, in crime No.547 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners and other accused gave interview in television with an intention to create riot between different religions and to cause breach of peace and so many persons posted filthy comments and defamatory informations about the complainant and his family members in the Instagram and threatened them and uploaded obscene photos and caused mental agony to them. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the facts and circumstances of the case and also considering the nature of allegations in this case and considering the fact that the tweets of the petitioner were more of political in nature and not sexually coloured or with



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reference to the family members of the defacto complainant and considering the fact that the petitioners are remanded to custody on 13.08.2024 and that the co-accused is also released on bail, and considering the argument of the petitioners that the petitioners are all political party /members and that they undertake not to make such tweets in the future, I am inclined to enlarge the petitioners on bail with certain conditions.

5. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Trichy;

(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 by the learned counsel for the petitioner, the petitioner shall file an affidavit that they will not make such tweets in future and will not use any abusive language and will not indulge in similar offence before the respondent police as well as the satisfaction of the Court.



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(iii) the petitioners 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. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

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

v) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

(vii) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
18/09/2024

(\*)For Corrected as per Order of this  
Hon'ble Court dt.20.09.2024 in CrI.OP  
(MD).15131/2024.

/ TRUE COPY /

20/09/2024  
Sub-Assistant Registrar  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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TO BE SUBSTITUTE WITH THE ORDER DT.18/09/2024 IS ALREADY  
DESPATCHED

1. THE JUDICIAL MAGISTRATE NO.IV, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY.

3. THE INSPECTOR OF POLICE,  
THILLAINAGAR POLICE STATION,  
TRICHY CITY.

4. THE SUPERINTENDENT,  
CENTRAL PRISON, TRICHY.

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

+1 CC to M/s.C.KARTHIKEYAN, Advocate ( SR-11525 [I] dated 20/09/2024 )

ORDER  
IN

CRL OP(MD) No.15131 of 2024

Date :18/09/2024

RK (18/09/2024) 5P / 7C

DSS

SA/SAR. /20.09.2024/5P/7C

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