



CRL OP(MD). No.15709 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15709 of 2024

K.Rajaguru

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. By, the Inspector of Police,
Town Police Station, Aruppukottai,
Virudhunagar District.
(Crime No.259/2024).

... Respondent/Complainant

For Petitioners : Mr.B Muneeswaran,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.259 of 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



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respondent police for the offences punishable under Sections 351(3) of BNS & Section 67 of IT Act, in Cr.No.259 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has celebrated his birthday by cutting a cake with a sword and uploaded the said video in the social media. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that the petitioner posted a video of his birth day celebration with a big sword by cutting the birthday cake on the social media and also considering the argument of the learned counsel of the petitioner that the petitioner will file an undertaking affidavit that he will permanently log out of the social media account and he will use only button phone for his communication, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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



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copy of this order, before the Judicial Magistrate Court, Aruppukottai, Virudhunagar District, 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 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) As per the undertaking given by the learned counsel for the petitioner, 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;

(c) 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;

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



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(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/-
19/09/2024

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/09/2024

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

DSS
TO
1 THE JUDICIAL MAGISTRATE
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.B.MUNEESWARAN, Advocate (SR-11402[I] dated 19/09/2024)

ORDER

IN

CRL OP(MD) No.15709 of 2024

Date :19/09/2024

SS/JGB/SAR- /26/09/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023