



CRL OP(MD). No.20712 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20712 of 2024

Manikandan

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Radhapuram Police Station,
Radhapuram, Tirunelveli District.
Cr.No.119 of 2024.

... Respondent/Complainant

For Petitioner : Mr.S.Palanivelayutham, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Cr.No.119 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 11.11.2024 for the offences under Sections 67 of IT Act and 506(ii) of IPC in



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Crime No.119 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 had developed a relationship with the daughter of the defacto complainant and both of them were moving closely. The petitioner is a married man. After some time, the marriage of the daughter of the defacto complainant was arranged and that point of time, the petitioner is said to have uploaded certain photographs taken along with the daughter of the defacto complainant in the Whatsapp status, as a result of which, the marriage was stalled.

3. Heard the learned counsel appearing for the petitioner and the learned learned Additional Public Prosecutor appearing for the respondent.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the daughter of the defacto complainant is now married and settled elsewhere and the petitioner has suffered incarceration from 11.11.2024 and the learned counsel for the petitioner also undertakes that an affidavit will be filed by the petitioner before the Judicial Magistrate to the effect that the petitioner will not interfere with the life of the daughter of the defacto complainant henceforth and will not cause any disturbance to the defacto complainant and his daughter, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5. Accordingly, the criminal original petition is ordered and the petitioner



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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 District Munsif cum Judicial Magistrate, Radhapuram, Tirunelveli District, and on further conditions that:-

[a] 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 file an affidavit before the concerned Judicial Magistrate to the effect that the petitioner will not interfere with the life of the daughter of the defacto complainant henceforth and that he will not cause any disturbance to the defacto complainant and his daughter. Without filing this affidavit, the learned Judicial Magistrate shall not entertain the sureties;

[c] the petitioner shall report before the respondent police on every Monday and Friday at 05.30 p.m., until further orders;

[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;



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[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];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

sd/-
27/11/2024

/ TRUE COPY /

27/11/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
RADHAPURAM, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, NANGUNERI, TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION,
RADHAPURAM, TIRUNELVELI DISTRICT.



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

+1 CC to M/s.S.PALANI VELAYUTHAM, Advocate (SR-14596[I] dated
27/11/2024)

ORDER
IN
CRL OP(MD) No.20712 of 2024
Date :27/11/2024

SA/SAR. /27.11.2024/5P/7C

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