



CRL OP(MD). No.21393 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 06/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21393 of 2024

1. Santhanathan

2. Sankaralingam

... Petitioners/ Accused Nos.1 & 2

Vs

The Inspector of Police,  
Virudhunagar West Police Station,  
Virudhunagar District.  
(Crime No. 237 of 2024)

... Respondent/Complainant

For Petitioners : Mr.B.Prahalad Ravi, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory bail in Crime No.237 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 296(b), 351(2) of BNS Act r/w Section 67 of the Information Technology Act, 2000 in Crime No.237 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners have sent demeaning message against the defacto complainant and his family in the social media and



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abused them in filthy language and also threatened them with dire consequences.

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3.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent.

4.Taking into consideration of the facts and circumstances of the case and considering the fact that there was a previous dispute between the parties and case and counter case in Cr.Nos.236, 237 of 2024 is pending investigation before the respondent Police and also taking note of the fact that there are no previous cases against the petitioners, this Court is inclined to grant to grant anticipatory bail to the petitioners.

5.Accordingly, this criminal original petition is ordered and the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Virudhunagar, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.



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[b] the petitioners 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.

[c] the petitioners shall report before the respondent police as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners 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 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]; and;

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

sd/-  
06/12/2024

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/12/2024  
Sub-Assistant Registrar (C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, VIRUDHUNAGAR WEST POLICE STATION,  
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.B.PRAHALAD RAVI, Advocate ( SR-15220[I] dated 10/12/2024 )

ORDER

IN

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Date :06/12/2024

RS/SKN/SAR-(16.12.2024) 4P 6C

Madurai Bench of Madras High Court is issuing  
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