



Crl.O.P.No.326 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.01.2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 326 of 2025

Rajasekaran

... Petitioner

Vs

The State Rep by
The Inspector of Police,
Kuthalam Police Station,
Mayiladuthurai District.
Tamil Nadu-609 801.

...Respondent

For Petitioner : Mr.M.A.Aruneshe

For Respondent : Mr.S.Santhosh,
Government Advocate (Criminal Side)

ORDER

Apprehending arrest in connection with Crime No.398 of 2024 registered for the offence punishable under Section 67 of Information Technology Act of 2000, the present petition has been filed seeking anticipatory bail.



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2.Pleading innocence on the part of the petitioner, false implication

in the case, learned counsel for the petitioner seeks indulgence of this court. He submits that petitioner's wife is the Village Pachayat President of Senniyanallur. Due to previous enmity between the petitioner/A1 and the defacto complainant, who is the ruling party, a false complaint has been lodged against the petitioner as if he had abused and threatened the defacto complainant. He further submits that notice under Section 35(3) of BNSS was issued against the petitioner by the Kuthalam Police and enquiry had been conducted on 21.12.2024 itself and he is ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioner's wife is the Village Pachayat President of Senniyanallur. Due to previous enmity between the petitioner/A1 and the defacto complainant, the petitioner had abused and threatened him, thereby, a complaint has been lodged against the petitioner. He would further submit that there is no previous case pending against this Petitioner.



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4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he is ordered to be released on bail in the event of arrest or on his appearance.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.I, Myladuthurai** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with two 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 his Aadhar card or Bank pass Book to ensure their identity;

[b]the petitioner shall report before the



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respondent police everyday at 10.30a.m., for a period of two weeks and thereafter on every Saturday at 10.30a.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[e] 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]**;

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

09.01.2025

raa

To
1.Judicial Magistrate No.I, Myladuthurai.
2.The Inspector of Police,
Kuthalam Police Station,
Mayiladuthurai District.
Tamil Nadu-609 801.
3.The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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