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CRL OP No. 5707 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 5707 of 2025

1.Reka

D/o.Subramaniam, W/o.Sathiskumar,
No.46 A, Ranganathapuram 1st Street,
Rayapuram, Tiruppur District - 641
604.

2.Krishnakumar

Petitioner(s)

Vs

The State rep by, The Sub Inspector of
Police,
CCD-II, Tiruppur City Police Station,
Tiruppur District. (Crime.No.60/2024).

Respondent(s)

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PRAYER

To enlarge the petitioner on bail in the event of their arrest in Crime No.60/2024 on the file of the respondent police and thus render justice.



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For Petitioner(s): Mr.Prabhakaran Karuppannan
For Respondent(s): Mr. S. Santhosh,
Government Advocate

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 67 of Information Technology Act and Sections 78 and 79 of BNS, 2023 in Crime No.60 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the defacto complainant and A1's husband had illicit affair; that on account of which, A1 had previous enmity with the defacto complainant and hence the petitioners had posted highly derogatory messages about the defacto complainant and her daughter in the instagram account of the defacto complainant's daughter.

3. Learned counsel for the petitioners would submit that the petitioners without prejudice to their defence have filed an affidavit of undertaking stating



that, they will not send such derogatory messages containing either vulgar or
unparliamentary words.

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4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that the comment made by the petitioners have been removed.

5. Considering the above said facts, the fact that the petitioners have filed an affidavit undertaking that they will not post any such comments in future, the custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of copy of this order, before the **learned Judicial Magistrate**

No.III, Tiruppur, on condition that each of the petitioners shall execute



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separate bonds 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] 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.

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

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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



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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 B.N.S.

06-03-2025

AT

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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SUNDER MOHAN, J.

AT

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To

1. The State rep by, The Sub Inspector
of Police,
CCD-II, Tiruppur City Police Station,
Tiruppur District. (Crime.No.60/2024).

Crl.O.P.No. 5707 of 2025