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Crl.O.P.No.5988 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.5988 of 2025

G.Khannan

...Petitioner

Vs.

State rep by
The Inspector of Police,
Cyber Crime Police Station,
South Zone, ST.Thomas Mount,
Chennai.

(Crime No.1 of 2025)

...

Respondent

PRAYER: This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioner/accused on anticipatory bail in Crime No.1 of 2025.

For Petitioner : Mr.B.Aravinthan

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



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ORDER

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This Criminal Original Petition has been filed by the petitioner, who apprehends arrest at the hands of the respondent, seeking anticipatory bail in Crime No.1 of 2025 registered for the offence under Sections 66(A) of Information Technology Act and Section 4 of TN Women Harassment Act.

2.The case of the prosecution is that the petitioner and the defacto complainant is members of the same political party; that in order to defame the defacto complainant, the petitioner had posted certain messages in the facebook with an intention to harm the reputation of the defacto complainant and thus committed the aforesaid offence.

3. The learned counsel for the petitioner would submit that the allegations are false; that in any case, the message has now been deleted from the public domain and considering the nature of allegations, custodial interrogation is not required for the purpose of investigation, he sought for grant of anticipatory bail.



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4. The learned Government Advocate (Crl.Side) reiterated the prosecution and submitted that the defamatory message has been removed from the public domain.

5. Considering the nature of allegations, the fact that the defamatory message has been removed from the public domain and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 of receipt of copy of this order, before the learned **Judicial Magistrate No.I, Chengalpattu** 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:



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[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 report before the respondent Police everyday at 10.30 a.m., until further orders;

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

[d] the petitioner shall not tamper with evidence or witness 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 B.N.S.

04.03.2025

rkp



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Copy to:

- 1.The Inspector of Police,
Cyber Crime Police Station,
South Zone, ST.Thomas Mount,
Chennai.
- 2.The Judicial Magistrate No.I, Chengalpattu.
- 3.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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