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CRL OP No. 6041 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 6041 of 2025

Senthil Kumar

S/o. Elangovan, Avvai Nagar, Seruvagi,
Gudiyatham, Vellore District.

Petitioner(s)

Vs

State rep by, The Inspector of Police
All Women Police Station,
Gudiyatham, Vellore District
(crime.No. 52 of 2024)

Respondent(s)

CRL OP No. 6041 of 2025

PRAYER

To enlarge the petitioner on bail in the event of his arrest in Crime No. 52 of 2024 on the file of on the file of the Inspector of police AWPS, Gudiyatham, Vellore District.

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For Petitioner(s): Mr. Vinodh Kumar

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

**ORDER**

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The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 67A of Information Technology, Act 2000 in Crime No.52 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner on the promise of getting employment for the defacto complainant, obtained a certificates and photographs; that when the defacto complainant approached the petitioner and requested to return back her certificates and photos, he refused to return back the same; and that the petitioner created a fake social media account and uploaded the photos of the defacto complainant and forwarded the same to her friends and thus committed the aforesaid offence.

3. Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, and prayed for anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the defacto complainant is yet to produce documents to substantiate her complaint.

5. Considering the above fact and the nature of allegations and since the custodial interrogation of the petitioner is not required, 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, Gudiyatham**, on condition that the petitioner shall execute 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:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the



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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 as and when required for interrogation.

[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 B.N.S.

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1.State rep by the Inspector of Police
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SUNDER MOHAN, J.

AT

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