



CrI.O.P.No.8288 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.8288 of 2025

Hariharan

...Petitioner/Accused 2

Vs.

State rep by
The Inspector of Police,
Cyber Crime Police Station, CCB,
Vepery, Chennai.

(Crime No.7 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.7 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Premkumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI. Side)



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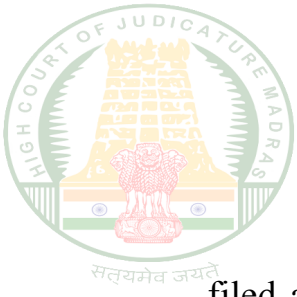
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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 05.02.2025, seeking bail in Crime No.7 of 2025 registered for the offence under Sections 79, 296 of BNS, 2023 and Sections 66D, 67 of IT Act, 2008.

2.It is the case of the prosecution that the petitioner along with the other accused had hacked the Twitter account of the defacto complainant and posted the morphed images of the Deputy Chief Minister in an abusive and vulgar manner to defame the reputation of the complainant and thus committed the aforesaid offences.

3.The learned counsel for the petitioner would submit that the allegations against the petitioner are false; that the similarly placed co-accused was granted bail by this Court in Crl.O.P.No.6785 of 2025 on 19.03.2025; that without prejudice to the prosecution, the petitioner has now



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filed an affidavit of undertaking stating that he would not indulge in such activities in future. He would further submit that in any case, since further custody of the petitioner is not required, the petitioner may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the abusive posts made in the Twitter account of the defacto complainant has now been removed.

5.Heard the learned counsel on either side and perused the materials available on record.

6.It is now reported that the petitioner is taking treatment in the Institute of Mental Health.

7.Considering the affidavit of undertaking filed by the petitioner, which is taken on record, the fact that the similarly placed co-accused was granted bail by this Court in Crl.O.P.No.6785 of 2025 on 19.03.2025 and



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since further custody of the petitioner is not required for the purpose of interrogation, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing 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 **XI Metropolitan Magistrate Court, Saidapet, Chennai**, and on further conditions that:

[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, twice a week i.e., on every Monday and Thursday at 10.30 a.m., until further orders;

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



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[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.

21.03.2025

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Copy to:

- 1.The Inspector of Police,
Cyber Crime Police Station, CCB,
Vepery, Chennai.
- 2.The XI Metropolitan Magistrate Court, Saidapet, Chennai.
- 3.Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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