



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 16221 of 2025

V. Ramesh

Petitioner(s)

Vs

1. The Inspector of Police,
Cyber Crime Division-I, Chennai
North, Crime No. 174 of 2024, Chennai
City.

2.C Isaivani

Respondent(s)

PRAYER This Criminal Original Petition is filed under Section 482 of BNSS to grant Anticipatory Bail to the petitioner in the event of his arrest or in connection with the case in Crime No. 174 of 2024 pending investigation on the file of the respondent police

For Petitioner(s): Mr.N. Manokaran

For Respondent(s): M/s. Leonard Arul Joseph
Selvam GA (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 79 and 296 of BNS, 2023 read with Section 67 of IT (Amendment) Act 2008 and Section 4(1)(r) and 4(1)(s) of



SC and ST (Prevention of Atrocities) Act, 2015 in Crime No.174 of 2024, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant's photo was morphed and spread on social media, and the petitioner forwarded the disputed content received from “Bharathiyacitizen@law”. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner merely forwarded a message received from another source. However, the petitioner tendered an unconditional apology to the defacto complainant, following which it was conveyed that the defacto complainant no longer wished to pursue the matter. The learned counsel further submits that the co-accused have already been granted bail by the learned Principal Sessions, Judge, Chennai. In the bail order dated 12th March, 2025, made in CrI.M.P.No.2095 of 2025, it has been recorded that, upon receiving notice, the defacto complainant appeared with her counsel Mr.D.Ashok Kumar, and explicitly stated that she had no objection in granting bail to the petitioners. Hence, the learned counsel prays for grant of



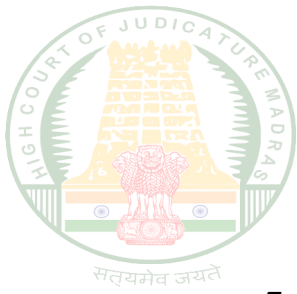
anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the petitioner forwarded a message received from another source, causing distress and affecting reputation and dignity of the victim. Hence, opposed for the grant of anticipatory bail to the petitioner.

5. 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.

6. The Court has taken into account the defacto complainant's clear indication of not wanting to proceed with the case. Considering this, along with the fact that co-accused have already been granted bail, and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

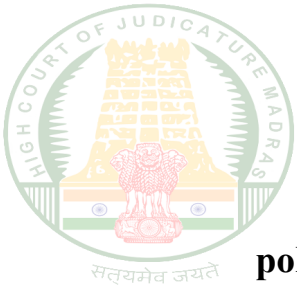


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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Metropolitan Magistrate No.IX, Saidapet** on condition that of 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 learned Magistrate concerned, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;



[c] the petitioner shall report before the respondent police as and when required for interrogation;

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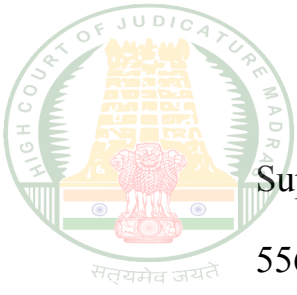
[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by a Police office as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

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

[h] 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];

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

09-07-2025

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To

1.The Inspector of Police,
Cyber Crime Division-I, Chennai North,
Crime No. 174 of 2024, Chennai City.

2. The Metropolitan Magistrate No.IX,
Saidapet.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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