



CRL OP(MD).No.10442 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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PGP Kesavan

.. Petitioner/ Accused No.2

Vs

State of Tamil Nadu,
Rep. by the Inspector of Police,
Cyber Crime Police Station (Rural)
Tirunelveli District Police Office.
(Crime No.09 of 2023)

.. Respondent/ Complainant

For Petitioner : Mr.R.Guruchakkravarthy

For Respondent : Mr.S.Prakash
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.9 of 2023 on the file of the
Respondent Police.

ORDER : The Court made the following order :-



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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 67 A of IT Act, 2000, in Crime No.09 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with A1 had morphed the photograph of the complainant and on 26.09.2022, they sent the obscene photograph to the cellphone of the complainant's father and husband and posted it on social media. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the respondent police have issued a notice under Section 41 A of CR.P.C., to the petitioner and the petitioner has appeared before the respondent police and co-operated for the enquiry. He further submitted that A1 has already been arrested and thereafter he released on bail by the Concerned Magistrate Court. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner has not co-operated for the enquiry and A1 cellphone has been recovered. He further submitted that the investigation is almost completed. However, he



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opposed for grant of anticipatory bail to the petitioner.

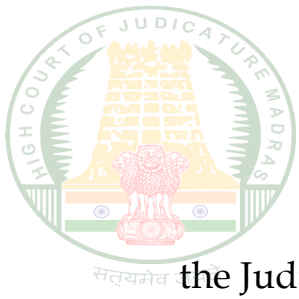
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5. Considering the facts and circumstances of the case and also the fact that the co-accused had already been released on bail by the Concerned Magistrate and the investigation might have been completed and there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.I, Tirunelveli, 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 to the Police Officer, who intends to arrest or to the satisfaction of the Judicial Magistrate No.I, Tirunelveli, and on further conditions that:

(a) the petitioner 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 petitioner shall furnish his residential address and mobile number to the Judicial Magistrate No.I, Tirunelveli, In the event of any change in his residential address, the petitioner shall report the same to



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the Judicial Magistrate No.I, Tirunelveli.

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(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
25/06/2025

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/07/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
 - 3 THE INSPECTOR OF POLICE, CYBER CRIME POLICE STATION (RURAL), TIRUNELVELI DISTRICT POLICE OFFICE.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.R.GURU CHAKKRAVARTHY, Advocate (SR-6736[I] dated 25/06/2025)

ORDER
IN
CRL OP(MD) No.10442 of 2025
Date :25/06/2025

NBF/08.07.2025 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023