



CRL OP(MD). No.12317 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12317 of 2025

P.Joseph Ananth,
S/o.Palthurai

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Cyber Crime Branch,
Nagercoil,
Kanyakumari District.
(Crime No.27 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Kamesh N,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.27 of 2025 on the file of the Respondent Police.

<https://www.mhc.tn.gov.in/judis>



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 79, 294(b) and 351(2) of BNS, 2023 r/w. Sections 66E and 67 of the Information Technology (Amendment) Act, 2008 r/w. Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.27 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant lent a sum of Rs.3,00,000/- to the petitioner on an interest basis. Subsequently, the petitioner failed to repay the said amount along with the agreed interest. Due to the pressure exerted by the de-facto complainant for repayment, it is alleged that the petitioner posted a photograph of himself along with the de-facto complainant on Facebook, with the intent to threaten and intimidate her. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged occurrence as stated by the prosecution. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he



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seeks anticipatory bail.

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4. The learned Government Advocate (Criminal Side) submitted that the petitioner is the sole accused in this case. Due to a monetary dispute between the petitioner and the de-facto complainant, the petitioner allegedly created a Facebook account and posted a photograph of the de-facto complainant in an obscene manner. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, the nature of the offence, and also taking note of the fact that the issue pertains to a money dispute between the petitioner and the de-facto complainant, and that as the date of occurrence is 27.02.2025 and the FIR was registered only on 11.06.2025, and that by this time material part of the investigation might have been completed, 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 arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Nagercoil,



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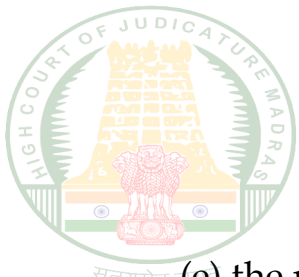
on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-
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(Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.II, Nagercoil, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 learned Judicial Magistrate No.II, Nagercoil. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Nagercoil;

(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;



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(e) the petitioner shall not abscond either during investigation or trial;
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(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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
30/07/2025

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/08/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN
TO

1 The Judicial Magistrate No.II,
Nagercoil.

2 The Inspector of Police,
Cyber Crime Branch,
Nagercoil, Kanyakumari District.

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3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.12317 of 2025
Date :30/07/2025

NM/28.08.2025/ 6P/4C

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