

(2025) 12 MAD CK 0032

Madras HC

Case No: Criminal Miscellaneous Petition (MD) No. 22277 Of 2025

Muthukrishnan

APPELLANT

Vs

State Of Tamil Nadu

RESPONDENT

Date of Decision: Dec. 4, 2025

Acts Referred:

- Bharatiya Nyaya Sanhita, 2023-Section 269, 296(B), 351(2)
- Information Technology Act, 2000-Section 71
- Tamil Nadu Prohibition Of Harassment Of Women Act, 1998-Section 4

Hon'ble Judges: S.Srimathy, J

Bench: Single Bench

Advocate: V.Suresh Kanna, E.Antony Sahaya Prabahar, S.Maya Perumal

Judgement

S.Srimathy, J

1. The petitioner, who was arrested and remanded to judicial custody on 12.11.2025 for the offences punishable under Sections 296(b), 351(2) of BNS, Section 71 of IT Act and 4 of TNPHW Act, in Crime No.490 of 2025 on the file of the respondent police. seeks bail.
2. The case of the prosecution is that the petitioner had defamatory statements about the defacto complainant 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 petitioner is ready and willing to abide by any conditions which may be imposed by this Court and she is in judicial custody from 12.11.2025. Hence, he seeks bail to the petitioner.
4. The learned Additional Public Prosecutor submitted that there are five previous cases pending against the petitioner. Hence, he opposed for grant of bail to the petitioner.

5. The learned counsel for the Intervenor/defacto complainant submitted that the petitioner has involved in very serious offence. Hence, he strongly opposed for grant of bail to the petitioner.

6. Taking into consideration the facts and circumstances of the case, and also the fact that the petitioner had already filed an anticipatory bail application before this Court, which was dismissed on 04.11.2025. Further, the petitioner was arrested by the respondent police and now, the petitioner has filed a bail application before this Court. Further, this Court considers the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on executing 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 Additional Mahila Judicial Magistrate Court, Srivilliputhur, Virudhunagar District, 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 stay at Madurai and report before the Inspector of Police, Tallakulam Police Station, daily at 10.30 a.m., until further orders.

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

[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 BNS.