



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Eleventh day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11172 of 2015

JAWAHAR

..PETITIONER/SOLE ACCUSED

MUTHANASAMY

..INTERVENOR

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

CITY CRIME BRANCH, MADURAI.

IN CRIME NO.58 OF 2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.B.JEYAKUMAR Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

For Intervenor : Mr.D.SARAVANAN, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is the sole accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294, 469 of I.P.C., and Section 67 of Information Act in Crime No.58 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the accused have posted some messages in the face book harming the reputation of the Central Minister.

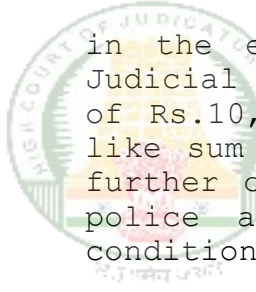
3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner and the de-facto complainant belong to the same party, but different factions and it is further submitted that the complaint was given only on suspicion and the intervenor insisted for filing an affidavit that he would not act in a suspicious manner in future.

4. The learned counsel for the petitioner further submitted that the petitioner has filed an affidavit to that effect and his application can be considered.

5. The learned counsel for the intervenor submitted that the petitioner through his e-mail ID sending awkward, obscene photos and messages damaging the name and fame of the political leaders and Union Minister and it is further submitted that since the accused has committed serious offences, he is not entitled for anticipatory bail.

6. Heard the learned Government Advocate (Crl.side).

7. Considering the rival submissions made by the learned counsel for the petitioner and the affidavit filed by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail



in the event of his arrest or on his appearance before the learned Judicial Magistrate No.I, Madurai and on his 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

11/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE, CITY CRIME BRANCH, MADURAI.

+1. CC to M/S.B.JEYAKUMAR Advocate SR.No.53645

+1cc to M/s.D.Saravanan, Advocate in SR.No.53864

ORDER IN

CRL OP(MD) No.11172 of 2015

Date :11/09/2015

PBK/AAL-MPA/SAR-II 21/09/2015 ::2P-7C::