



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

Friday, the Twenty Second day of September Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.12294 of 2017

K.THIRUMURUGAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT,
(CRIME NO.570 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.R.ALAGUMANI Advocate

For Respondent : Mr.A.RAMAR, Additional Public Prosecutor

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

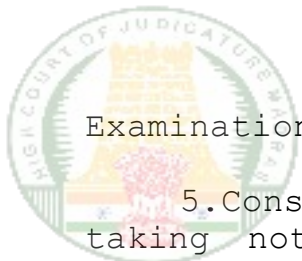
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 505(1) (b) of IPC and Section 13(2) of Unlawful Activities (Prevention) Act, and Section 67 of Information Technology Act in Crime No.570 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner abused the Central Government and also State Government through social media.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and subsequent to his emotional speech in the matter of death of Anitha, no untoward incident happened that act would not be an offence and this petitioner is a practising Advocate in Ramanathapuram District and is also participating in public welfare activities.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that the petitioner is the sole accused and investigation is pending. The petitioner uploaded objectionable video speech in the social media-whatsapp against the ruling political party and induced the students to agitate against the State and Central Government condemning NEET



Examination.

5. Considering the facts and circumstances of the case and also taking note of the nature of allegations levelled against the petitioner, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.II, Ramanthapuram, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent Police weekly once i.e., every Sunday at 10.30 a.m. until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[d] 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)**.

sd/-

22/09/2017

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE,
KENIKKARAI POLICE STATION, RAMNAD DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.R.ALAGUMANI Advocate SR.No.31561

ORDER IN

CRL OP(MD) No.12294 of 2017

Date : 22/09/2017