



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

Thursday, the Eighth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.3401 of 2018

M.A. JESURAJ

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ANJUGRAMAM POLICE STATION,
KANYAKUMARI DISTRICT
IN CRIME NO.41/2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.RENGARAJAN Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

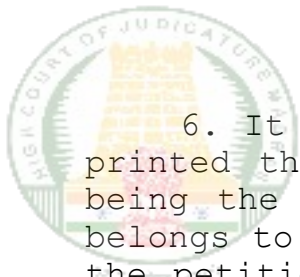
The petitioner, who is arrayed as sole accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 153(A) @ 505(ii) IPC, in Crime No.41 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein and other accused are said to have printed Calenders with the meaning of one Michel Athi Thoothar being the Christian Lord using the spear assaulted the person who belongs to the Hindu Religion and caused communal violence. Thus, on complaint, a case has been registered against the petitioners.

3.The learned counsel appearing for the petitioners would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) would submit that the investigation of the case is pending.

5.The submissions made by the learned counsel appearing on either side are considered.



6. It is alleged, during the time of occurrence, the petitioner printed the Calender with the meaning of one Michel Athi Thoothar being the Christian Lord using the spear assaulted the person who belongs to the Hindu Religion. Basically, the offence committed by the petitioner is creating a communal violence among the public in that locality. Further, they have taken steps to disburse the calenders to public. Due to the provoked speech of members belonging to the Michel Athi Thoothar, a problem arose in the locality concerned and the offence committed by the petitioner is not an ordinary one. In such circumstances, the custodial interrogation of the petitioner is very much necessary for completing the investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
08/03/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
ANJUGRAMAM POLICE STATION,
KANYAKUMARI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL OP(MD) No.3401 of 2018
Date :08/03/2018

SMA/CM-VR/SAR-1/26.03.2018:2P/3C