



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

Wednesday, the Fourth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.11115 of 2018

THAVASI

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ELUMALAI POLICE STATION,
MADURAI DISTRICT (CR.NO.139 OF 2018). ... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.R.LAXMAN Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 10.06.2018 for the offences punishable under Sections 153 A I.P.C and 67 of Information Technology Act, in Crime No.139 of 2018 on the file of the respondent police. He seeks bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl.Side) for the respondent.

3.It is alleged that the petitioner has shared the image which degrades the great leader late.Sri.Muthuramalinga Thevar. The petitioner was rightly arrested as sharing of such degrading image would certainly lead to breach the public peace and safety.

4. The learned counsel for the petitioner undertakes that the petitioner after coming out on bail shall file an affidavit before the Jurisdictional Magistrate that he would desist from indulging in such activities in future.

5.If such undertaking is breached, this order would stand cancelled automatically. Recording the aforesaid undertaking, this Court is inclined to grant bail to the petitioner. Accordingly, the Petitioner is ordered to be released on bail, subject to the following conditions;



like sum to the satisfaction of the learned Judicial Magistrate No.II, Usilampatti.

(ii)the Petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii)the Petitioner shall not abscond.

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(iv)on breach of any of the aforesaid conditions, the 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 is released on bail by the 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/-
04/07/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
USILAMPATTI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 - 3 THE OFFICER INCHARGE,
SUB JAIL,
DINDIGUL.
 - 4 THE INSPECTOR OF POLICE,
ELUMALAI POLICE STATION, MADURAI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to Mr.K.R.LAXMAN Advocate SR.No.12083.

ORDER
IN
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Date :04/07/2018