



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

Monday, the Twentieth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14487 of 2018
and
CRL MP(MD)No.6556 of 2018

1 R.JOHN VIMAL
2 R.JOHN WILLIAM

... PETITIONERS / ACCUSED NO.1 AND 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
NAGAMALAI PUDUKKOTTAI POLICE STATION,
MADURAI
CRIME NO.426 OF 2018

... RESPONDENT / COMPLAINANT

K.KARNAMAHARAJAN,

...PETITIONER / INTERVENER /
DEFACTO COMPLAINANT

For Petitioners : M/S.S.VANCHINATHAN Advocate

For Respondent : Mr.V.NEELAKANDAN Additional Public Prosecutor

For Intervener : M/S.M.JEGADEESHA PANDIAN Advocate

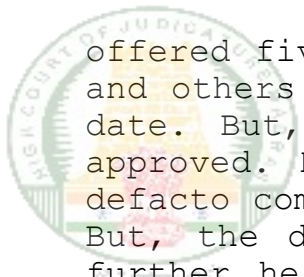
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 74, 67 and 66 of Information Technology Act, 2000 and Section 506(i) I.P.C in Crime No.426 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Professor Cum Head of the Department in the Department of Film Technology and Electronic Media at Madurai Kamaraj University. Since 2015, the petitioners are the students in the same department and made defamatory statements against him through social media and more over they threatened the defacto complainant with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are the 4th year students in the aforesaid department. From the year 2012, the Madurai Kamaraj University's Centre for Film and Electronic Media studies was



offered five years integrated M.Tech Course. Hence, the petitioners and others joined the said Course and continuing their studies till date. But, now the University said that the said course was not approved. Hence, the petitioners and other students approached the defacto complainant and University authorities to settle the issues. But, the defacto complainant refused to hear their grievances and further he has made false case against the petitioners. Hence, he prays for anticipatory bail to the petitioners.

4.The learned counsel for the intervener would submit that the defacto complainant has found the falseness of the Ist Graduate of the Family Certificate and did not recommend for tuition fee exemption to the petitioners herein. Aggrieved over the same, the first petitioner has directly sent an e.mail to M/s. Real Image, a Company who supplied equipment to the Centre for Film and Electronic Media Studies, Madurai Kamaraj University, falsely alleging that 5.1 surrounding was not into use and many products were in package and not opened and the real image was not responding to the e.mail of the teachers of the above centre. The said false complaint was known by the said Company, the defacto complainant enquired the petitioners and they tendered apology letter and requested the defacto complainant not to take action about the e.mail. Thereafter, the petitioners wantonly making false allegations against the defacto complainant. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

5.Heard the learned Additional Public Prosecutor appearing for the respondent.

6.Taking note of the above facts and circumstances and also taking note of the fact that the petitioners are students, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.VI, Madurai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners 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 shall stand dismissed.

sd/-
20/08/2018

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.

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

3 THE INSPECTOR OF POLICE
NAGAMALAI PUDUKKOTTAI POLICE STATION,
MADURAI

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

+1. CC to M/S.S.VANCHINATHAN Advocate SR.No.15736

+1. CC to M/S.M.JEGADEESHA PANDIAN Advocate SR.No.15867

ORDER
IN
CRL OP (MD) No.14487 of 2018
AND
CRL MP (MD) No.6556 of 2018
Date :20/08/2018

MV:RR:SAR2:03/09/18/3P/7C