



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

Wednesday, the Fifteenth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.6759 of 2019

K.MURUGANANTHAM @ PULENDRAN

... PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE,
THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT
(CRIME.NO.92/2019)

... RESPONDENT/COMPLAINANT

For Petitioner : MR.T.THIRUMURUGAN, Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner/sole accused, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 505(1)(b) and 505(1)(c) of IPC and Section 67 of Information Technology Act, in Crime No.92 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.Heard Mr.T.Thirumurugan, learned Counsel for the petitioner and Mr.A.Robinson, learned Government Advocate (Crl Side) appearing for the State.

3.The case of the prosecution is that the petitioner has made certain objectionable message through the Facebook. Hence, the complainant.

4.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to this petitioner.



5. The learned Government Advocate (Crl Side) for the respondent opposed to grant anticipatory bail to the petitioner.

6. Taking into consideration of the facts and circumstances of the case and also considering the fact that neither the petitioner nor the learned Government Advocate (Crl Side) is not in a position to produce the nature of the message spread by the petitioner through the Facebook and there is no specific allegation about the message in the FIR, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail on executing a bond in the event of arrest or on his appearance, for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of learned Judicial Magistrate, Thiruvadanai and on further conditions that:-

[a] the petitioner as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[d] the petitioner shall co-operate for the investigation and the trial. The petitioner shall not abscond either during investigation or trial and in event of the petitioner absconds, the respondent police shall register a case as provided under Section 229-A IPC.

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioner, as per the principles laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-
15/05/2019

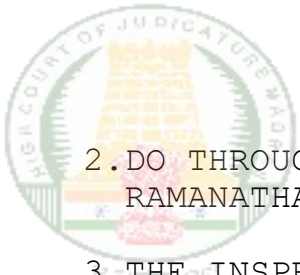
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

<https://hcservices.ecourts.gov.in/hcservices/>

1. THE JUDICIAL MAGISTRATE,
THIRUVADANAI, RAMANATHAPURAM DISTRICT.



2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3.THE INSPECTOR OF POLICE
THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.T.THIRUMURUGAN Advocate SR.No.8506

ORDER

IN

CRL OP (MD) No.6759 of 2019

Date :15/05/2019

MRN

PK/PN/SAR-3/22.05.2019 : 3P/6C