



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.7173 of 2019

C.M.SAMY

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION,
MADURAI CITY.
(CRIME NO.694 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.VIAJYARAJA, 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/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 505(1)(b), 504, 153 & 353 I.P.C in Crime No.132 of 2019, seeks anticipatory bail.

2. Heard Mr.J.Vijayaraja, 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 on 29.04.2019 at about 18:39 hrs the respondent police received a whatsapp video of the petitioner wherein he has alleged that the District Collector of Madurai District is the reasons for the bomb blast and also has alleged that the terrorists were taken training at Ramanathapuram District, when the District Collector was in charge of Ramanathapuram District. Hence the complaint.

4.The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offences as alleged by the prosecution.

5. The learned Government Advocate (Crl. Side) opposes for the grant of bail and also submits that only a substantial portion of the investigation is completed.



6. Taking into consideration of the fact that a substantial portion of the investigation is over and considering the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.

7. The petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, No-II, Viruthunagar District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the said Magistrate, on further conditions that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police as and when required for interrogation;

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

[d] the petitioner shall not abscond either during investigation or trial;

[e] 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]**.

[g] If the accused / petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
15/05/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILIPUTTUR.
3. THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION, MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.J.VIAJYARAJA, Advocate SR.No.8443

ORDER IN
CRL OP(MD) No.7173 of 2019
Date :15/05/2019