



WEB COPY

CRL OP(MD). No.10821 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/08/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.10821 of 2019

1. Jeyaraj
2. Sathiya Jebaseelan ... Petitioners/Accused Nos.7 & 8

Vs

State Rep.by
The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
Crime No.101/2019.

... Respondent/Complainant

For Petitioners: M/s.M.Sankar, Advocate.
For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER :-

For anticipatory bail in Cr.No.101/2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 170, 420 of IPC r/w Section 3 and 5 of Emblems and Names (Prevention of Improper Use) Act, 1950, in Crime No.101 of 2019, seek anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that the petitioners have given wide publication as if they are President and Chairman of "International Human Rights and Anti-Crime Organisation" Kanyakumari District, created several post as if International Human Rights and Anti-Crime Organisation was incorporated under the Legislation of Government of India and they intend to convene a meeting in the locality.

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



4.The learned counsel appearing for the petitioners has submitted that the petitioners registered the said organisation as per Trust Act, 1882, Reg.No.468/26.04.2017 and registered the Logo under the Trade Mark Registry, Government of India and they are entitled to function in the above said name and the said Organisation is also incorporated under the Legislation of Government of India and they are entitled to convene the meeting in the said locality and due to false information the respondent police registered a case against the petitioners, and hence, he prayed for anticipatory bail to the petitioners.

5.The learned Government Advocate (Crl.Side) appearing for the respondent has submitted that the first petitioner was already arrested and remanded to judicial custody and the second petitioner is concerned, there is no change of circumstances after dismissal of the earlier bail application. Further, the custodial interrogation of the second petitioner is absolutely necessary and therefore, he opposed to grant anticipatory bail to the second petitioner.

6.This is the third application seeking anticipatory bail. The first application seeking anticipatory bail in Crl.OP(MD)No.4189 of 2019 was dismissed on merit by this Court on 01.04.2019. The second application seeking anticipatory bail in Crl.OP(MD)No.8446 of 2019 was withdrawn by the learned counsel for the petitioners on 27.06.2019.

7.Taking into consideration of the fact that the first petitioner was already arrested and remanded to judicial custody and the second petitioner is concerned, there is no change of circumstances after dismissal of the earlier bail application in Crl.OP(MD)No.4189 of 2019, this Court is not inclined to grant anticipatory bail to the second petitioner.

8. Accordingly, this petition is dismissed.

sd/-
14/08/2019

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,
KOTTAR POLICE STATION,
KANYAKUMARI DISTRICT.



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

WEB COPY

MS/VR/SAR-2/21.08.2019/3P.3C

CRL OP(MD) . No.10821 of 2019

ORDER

IN

CRL OP(MD) No.10821 of 2019

Date :14/08/2019