

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P.No.7684 of 2020

C.Senthilarasan, M/40,
S/o.Chimaiyan,
No.3/365, E, Tamil Nagar,
Vilamal,
Thiruvarur – 610 006.

.. Petitioner/Accused

Vs.

State represented by the Inspector of Police,
Thiruvarur Taluk Police Station,
Thiruvarur District.
(Crime No.93 of 2020)

.. Respondent/Complainant

Prayer: Criminal Original Petition filed for anticipatory bail under Section 438 of Criminal Procedure Code.

For Petitioner : Mr.P.Muthamizhselvakumar
For Respondent : Mr.Jothikumar
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for alleged offence punishable under Sections 153 A (1) (a), 505(1)(b), 505(1)(c), 505(2) of Indian Penal Code, 1882 in Crime No.93 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that petitioner uploaded a video in his Facebook page on 29.02.2020 making a statement, which created panic and fear to particular community and disturbed public peace. On complaint, case has been registered under Sections 153 A (1) (a), 505(1)(b), 505(1)(c), 505(2) of Indian Penal Code, 1882.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not made any vulgar statement or promoted enmity between two class of people. The alleged date of occurrence is on 29.02.2020. There is no law and order problem, no communal violence and there is no disturbance of public peace. The learned counsel appearing for the petitioner further

submitted that there is no complaint by any individual. The respondent Police registered a case due to political pressure, the petitioner is innocent and he has been falsely implicated in this case. The investigation of the case is almost completed and custodial interrogation of the petitioner is not necessary. The petitioner is ready to furnish sureties and abide by any conditions imposed by this Court and prayed for granting anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the investigation is pending and prayed for dismissal of the petition.

5.Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

6.Considering the facts, nature of offence and date of occurrence, this Court is inclined to grant anticipatory bail. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance

within 15 days from the date of receipt of a copy of this order before the Court of Judicial Magistrate, Thiruvavarur, on the following conditions:

(i)The petitioner executes a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the respondent Police or the Police Officer who arrests him or the aforementioned Judicial Magistrate and

(ii)The petitioner appears before the respondent Police once in a week on every Monday.

7.In the result, the Criminal Original Petition is allowed.

19.05.2020

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Index : Yes / No
Internet : Yes / No
Speaking/Non-speaking order

To

1.The Inspector of Police,
Thiruvarur Taluk Police Station,
Thiruvarur District.

2.The Public Prosecutor,
High Court,
Madras.



WEB COPY

V.M.VELUMANI, J.,

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