IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P.No.7697 of 2020

Balaputhiyavan, aged about 33 years,
S/o.Balamurugan,
32 C, Bhagavathi Amman Koil Street,
Vilva Nagar,
Cuddalore – 607 001. ..
Petitioner/Accused

Vs.

State represented by its
Inspector of Police,
Cuddalore N.T. Police Station. ..
Respondent/Complainant
(Crime No.377 of 2020)

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

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For Petitioner : Ms.S.Deepika
For Respondent : Mr.M.Jothikumar
Additional Public Prosecutor

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O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for alleged offence punishable under Section 505(2) of Indian Penal Code, 1882 read with Section 67 of Information Technology Act, in Crime No.377 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and one Vanniarasu made a statement in Facebook and Twitter instigating communal violence among communities. On complaint, case has been registered under Section 505(2) of Indian Penal Code, 1882 read with Section 67 of Information Technology Act.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. The petitioner is a respectable person, he will co-operate with the investigation and will not abscond. The learned counsel appearing for the petitioner further submitted that petitioner will furnish

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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 petitioner made statement in the Facebook instigating communal violence. 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 and nature of offence, this Court is inclined to grant anticipatory bail to the petitioner. 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 No.II, Cuddalore, on the

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following conditions:

(i)The petitioner executes a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.II, Cuddalore and

(ii)The petitioner appears before the respondent Police daily at 10.00 A.M. for interrogation until further orders.

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

19.05.2020

krk/kj
Index : Yes / No
Internet : Yes / No

To

1.The Inspector of Police,
Cuddalore N.T. Police Station.

2.The Public Prosecutor,
High Court,
Madras.

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V.M.VELUMANI, J.,

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