

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P. No. 7643 of 2020

Lotus Manikandan @ P. Manikandan
S/o. Palanisamy,
No.101, Karunanidhi Nagar,
Coimbatore South,
Coimbatore 641 045.

.. Petitioner/ Sole Accused

Vs.

The State rep. by its
Inspector of Police,
Sulur Police Station,
Sulur, Coimbatore District.
[Crime No. 704 of 2020]

.. Respondent/ Respondent

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

For Petitioner : Mr. M. Arvind Kumar

For Respondent : Mr. T. Shunmuga Rajeswaran
Government Advocate (Crl. side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for alleged offence punishable under Sections 153 (A) and 505 (ii) of I.P.C., in Crime No.704 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has made comments about the statement given by one Tada J. Rahim through Facebook and offended the feelings of the Muslim community. On complaint, a case has been registered under Sections 153 (A) and 505 (ii) of I.P.C.

3. Learned counsel appearing for the petitioner submitted that the petitioner made fair comment and appreciated the stand taken for not accepting the rice given by the Government. He has not created any communal disharmony. The petitioner is innocent and the case is registered on misconception. The learned counsel appearing for the petitioner further submitted that the petitioner is willing to furnish substantial sureties and

abide by any condition imposed by this Court and prayed for granting anticipatory bail.

4. Learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner has made comments teasing the Muslim community. 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 Government Advocate (Crl. Side) appearing for the respondent and perused the materials available on record.

6. Considering the facts of the case 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 learned Judicial Magistrate, Sulur, Coimbatore, on the 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 respondent police or the police officer who arrest him or the aforestated Judicial Magistrate and

(ii) petitioner appears before the respondent police as and when required.

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

18.05.2020

Index : Yes / No
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To

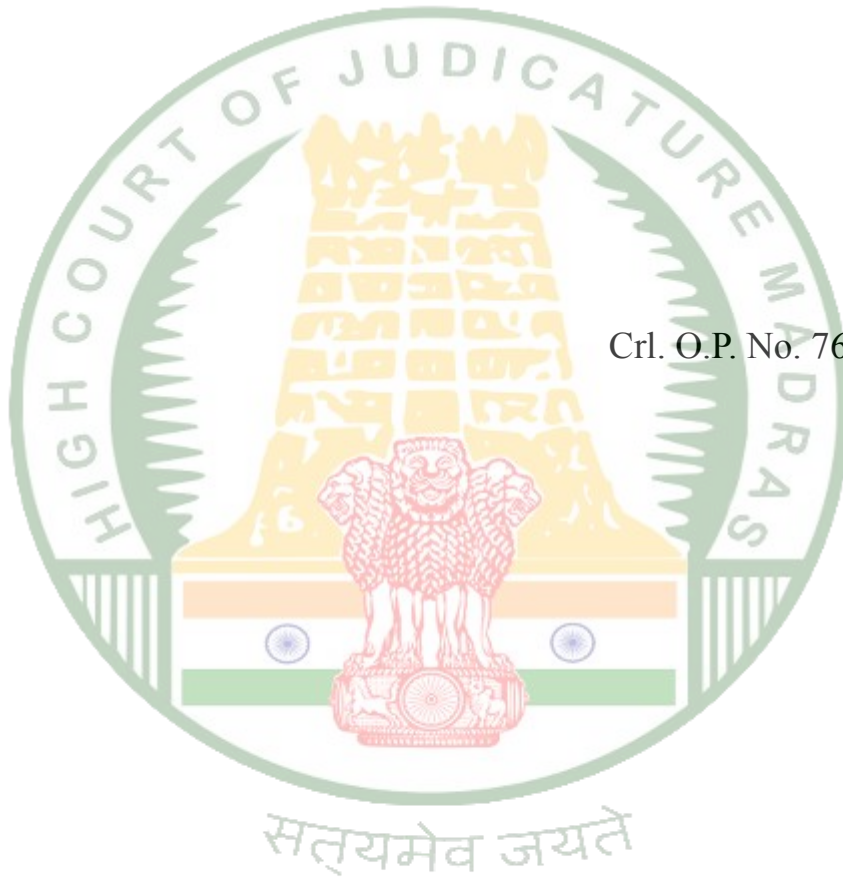
1. The Inspector of Police,
Sulur Police Station,
Sulur, Coimbatore District.

2. The Public Prosecutor,
High Court, Madras.

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V.M.VELUMANI, J.,

gsa/kj



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