

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

CrI.O.P. No.8016 of 2020

1.Balaji, M/44 years,
S/o.Rajagopal.

2.Arumugam, M/45 years,
S/o.Kasinathan.

Both are residing at

Melkumaramangalam,
Panruti.

.. Petitioners / Accused 1 & 2

Vs.

The State represented by
The Inspector of Police,
Panruti Police Station,
Panruti, Cuddalore District.

.. Respondent / Complainant

[Crime No.231 of 2020]

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

For Petitioners : Mr.S.Sarath Chandran
For Respondent : Mr.M.Jothikumar
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for alleged offence punishable under Sections 506 (1) (b), 507 of Indian Penal Code read with Section 66 of Information Technologies Act, 2000, in Crime No.231 of 2020, seek anticipatory bail.

2.The case of the prosecution is that, the 2nd petitioner is the admin of Melkumaramangalam whatsapp group and the 1st petitioner is a member in the said whatsapp group. During corona pandemic situation, the petitioners have spread false defamatory information in the whatsapp group about the Minsiter of Industries by printing his photo alleging that Minister is missing with an intention to spread rumours and created fear and panic amongst the general public. On complaint, case has been registered under Sections 506 (1) (b), 507 of Indian Penal Code read with Section 66 of Information Technologies Act, 2000.

3.The learned counsel appearing for the petitioners submitted that messages were not created by the petitioners and they have only forwarded

the messages. The petitioners have not committed any offence. The earlier CrI.O.P.No.7473 of 2020 filed by the petitioners was dismissed on 08.05.2020. If they are arrested, their reputation will be spoiled and prayed for granting anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioners were circulated defamatory and false messages through whatsapp, which has created fear and panic amongst the general public. On complaint, case has been registered and investigation is pending. This Court by the order dated 08.05.2020 dismissed the petition filed by the petitioners for anticipatory bail in CrI.O.P.No.7473 of 2020. There is no change of circumstances and prayed for dismissal of the petition.

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

6.Considering the nature of allegations alleged against the petitioners

and no change of circumstances brought to the notice of this Court after dismissal of CrI.O.P.No.7473 of 2020 on 08.05.2020, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

29.05.2020

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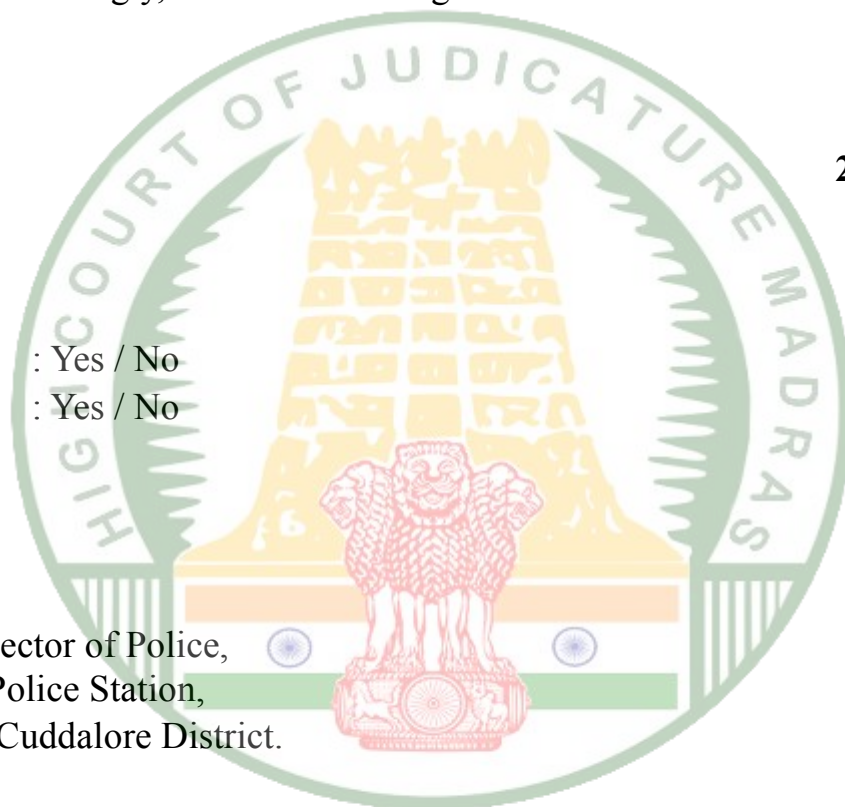
Index : Yes / No

Internet : Yes / No

To

1.The Inspector of Police,
Panruti Police Station,
Panruti, Cuddalore District.

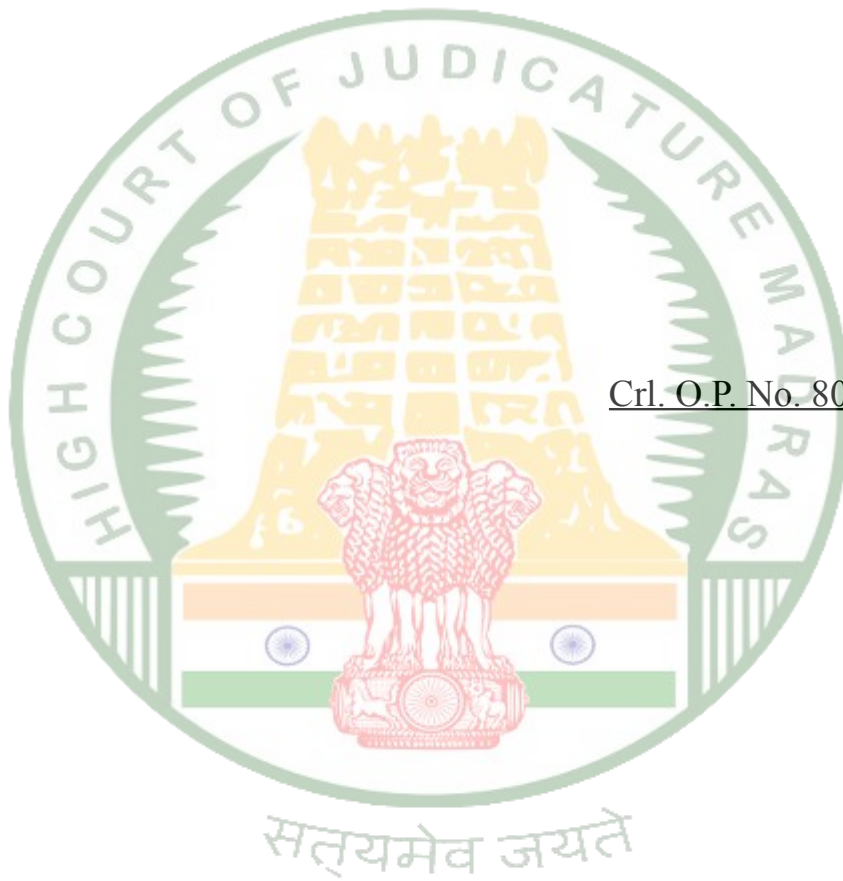
2.The Public Prosecutor,
High Court, Madras.



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V.M.VELUMANI, J.,

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Crl. O.P. No. 8016 of 2020

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