



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10/06/2020

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PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.5623 of 2020

1. AJMAL KHAN
2. THOULATH NOORYA
3. HALIK ALAVUDEEN

... PETITIONERS/ACCUSED NOS.1,2&3

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
KEELAKARAI POLICE STATION,
RAMANATHAPURAM,
CRIME NO. 320 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.C.Gunasekaran,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

For Intervenor : Mr.R.Srinivasan, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No. 320 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent and the learned counsel appearing for the intervenor.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 505(1) (b), 505(1)(c), 506(ii), 384 and 120(B) of I.P.C. and Section 67 of Information Technology Act, in Crime No.320 of 2020 on the file of the respondent police, seek anticipatory bail.



3. The petitioners' counsel would point out that the petitioners and the defacto complainant are relatives and that the second petitioner had already given a criminal case against the defacto complainant and that the case on hand has been lodged as a counterblast. The petitioners are ready to extend their cooperation. The petitioners categorically state that they have nothing to do with the offending messages in which the defacto complainant is said to have been defamed.

4. I am of the view that in a case of this nature, arrest of the petitioners is not warranted. Therefore, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Ramanathapuram, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

5. The petitioners shall appear before the concerned Magistrate within a period of eight weeks from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
10/06/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE
POLICE STATION, RAMANATHAPURAM.

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



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

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ORDER
IN
CRL OP (MD) No.5623 of 2020
Date :10/06/2020

pmu
JM/PN/SAR 2/12.06.2020/3P/5C