



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

Date : 12/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.8248 of 2021

K.T.S.Muthukumar

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Lalgudi Police Station,
Trichy District.
Crime No.540 of 2021.

... Respondent/Complainant

G.Ravi

...Petitioner/Intervene Petitioner/
Defacto Complainant
in CRL MP(MD)No.4523 of 2021
in CRL OP(MD)No.8248 of 2021

For Petitioner : Mr.K.Rajeshwaran,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

For Intervenor : Mr.V.Nirmal Kumar, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.540 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 153, 504, 505(1)(b)IPC in Crime No.540 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a member of Dravida Munnetra Kazhagam. The birthday of former Chief Minister of Tamil Nadu Mr.M.Karunanithi was celebrated on 03.06.2021. On that day, the petitioner herein had circulated a



whatsapp messages with false and defamatory information about the former Chief Minister of Tamil Nadu Mr.M.Karunanithi. Not only that pictures had also been circulated. These messages and pictures caused tension among the members of the Dravida Munnetra Kazhagam party. Hence, the complaint.

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3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is an In-Charge of the Information Technology Wing of AIADMK party. He denies sending any whatsapp messages defaming former Chief Minister of Tamil Nadu Mr.M.Karunanithi. Therefore, he seeks anticipatory bail to the petitioner.

4.The learned counsel for the defacto complainant produced copies of whatsapp messages that had been circulated in whatsapp and these messages show that they have been sent with a view to defamae and insult the leader of the party.

5.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that investigation is not completed.

6.It is a case where it is alleged that the petitioner, who is the In-Charge of the Information Technology Wing of AIADMK, said to have circulated false and defamatory messages and pictures of former Chief Minister of Tamil Nadu Mr.M.Karunanithi. The learned counsel for the defacto complainant also produced photo copies of the said messages and pictures. Perusal of these messages and pictures show that they are not in good taste and circulated with a view to defame the former Chief Minister of Tamil Nadu Mr.M.Karunanithi among public in general. This is an electronic evidence. According to the prosecution, investigation is not completed and they are in the process of collecting evidence. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

12/07/2021

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/ /2021

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 INSPECTOR OF POLICE,
LALGUDI POLICE STATION,
TRICHY DISTRICT.

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

ORDER

IN

CRL OP(MD) No.8248 of 2021

Date : 12/07/2021

GNS

TK/VR/SAR.3/15.07.2021/3P/3C