



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No. 9004 of 2021

Sankar @ Sankarasubbu

... Petitioner/1st Accused

Vs

State rep.by
The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
Crime No.426/2021.

... Respondent/Complainant

For Petitioner : Mr.T.Lenin Kumar,
Advocate.

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

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

PRAYER :-For Anticipatory Bail in Crime No. 426 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 294(b), 506(ii) IPC and Section 67 IT Act in Crime No.426 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a functionary in AIADMK party. He found in social media a post paying obituary to Mr.Kadambur Raju, Former Minister. That post was circulated by the accused Sankarasubbu, Arulraj. On 01.07.2021, at about 07.00 pm., he asked the accused as to why they made false post paying obituary in social media, the accused scolded in filthy language and criminally intimidated him. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is his further submission that the petitioner only forwarded the message that was sent to him.



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

5.Paying obituary to a person, who is alive, is something serious offence affecting the sensibilities of near and dear ones. Even if he had just forwarded the message, he must have verified the veracity of the said message. It is seen that investigation in this case is in preliminary stage and FIR was registered only on 02.07.2021. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

08/07/2021

/ TRUE COPY /

/ /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,
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.9004 of 2021

Date :08/07/2021

GNS

AE/AKM/SAR-V/14.07.2021/2P/3C