



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2021

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . Nos.14678 and 14703 of 2021

Crl.O.P.(MD)No.14678 of 2021

Navalpattu Viji @ Vijayakumar, ... Petitioner/ Sole Accused
Vs

The State Rep.by
The Inspector of Police,
Navalpattu Police Station,
Trichy District. ... Respondent/ Complainant
(Crime No. 51 of 2021)

For Petitioner : M/s. Sarvagan Prabhu.S.,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

For Anticipatory Bail in Crime No. 51 of 2021 on the file of
the respondent Police.

Crl.O.P.(MD)No.14703 of 2021

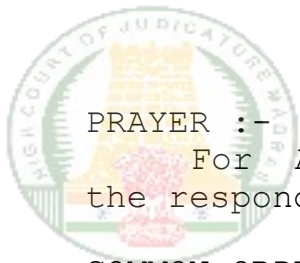
Navalpattu Viji @ Vijayakumar, ... Petitioner / Sole Accused
Vs

The State Rep.by
The Inspector of Police,
Cyber Crime Wing Police Station,
Trichy. ... Respondent/ Complainant
(Crime No. 17 of 2021)

For Petitioner : M/s. Sarvagan Prabhu.S.,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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



PRAYER :-

For Anticipatory Bail in Crime No. 17 of 2021 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police, for the offence punishable under Sections 294(b) and 506(i) of IPC and Section 67 of Information Technology Act 2000, in Cr.No.51 of 2021, on the file of the respondent Police, filed Crl.O.P.(MD)No.14678 of 2021, seeking anticipatory bail.

2. Apprehending arrest at the hands of the respondent Police, for the offence punishable under Sections 294(b), 505(2) and 506(i) of IPC and Section 67 of Information Technology Act, 2000, in Crime No.17 of 2021, on the file of the respondent Police, the petitioner also filed Crl.O.P.(MD)No.14703 of 2021, seeking anticipatory bail.

3. The case of the prosecution is that the petitioner on 07.08.2021 posted a statement in the WhatsApp group by defaming and threatening a Member of the Legislative Assembly (Thiruverumbur).

4. The learned counsel for the petitioner submits that the petitioner is an innocent and he is in no way connected with the said occurrence. Due to political motive, the cases have been falsely foisted against the petitioner. He further submits that a fake ID has been created by some miscreants to rope this petitioner in the above crime to defeat his political future. Therefore, he prayed for grant of anticipatory bail.

5. The learned Government Advocate (Crl. Side) opposed for grant of anticipatory bail and submits that the petitioner circulated defamatory message in the Social Media by defaming and threatening the Member of the Legislative Assembly (Thiruverumbur).

6. Heard both sides and perused the materials available on record.

7. On perusal of the materials, it reveal that the petitioner has misused the social media and posted defamatory message as against the Hon'ble Minister and also made criminal intimidation against him.

8. If the petitioner is released on anticipatory bail, there is every possibility of threat to the persons. Apart from these two cases, the petitioner is also involved in three other cases. The details of the previous cases of the petitioner read as follows:

(i) Cr.No.345 of 2017 - u/s. 143, 188, 341 IPC on the file of the Thiruverumbur Police Station;

(ii) Cr.No.84 of 2018 u/s. 143, 188, 341 IPC on the file of the Thiruverumbur Police Station;



(iii) Cr.No.73 of 2019 u/s. 294(b), 323 and 506(ii) IPC.

9. Considering the nature of offence, antecedent of the petitioner and also the fact that the petitioner has misused the social media and circulated defamatory message in the social media as against the Hon'ble Minister and also made criminal intimidation against him, this Court is not inclined to grant anticipatory bail to the petitioner.

10. Accordingly, both the Criminal Original Petitions are dismissed.

sd/-
04/10/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

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,
Navalpattu Police Station,
Trichy District.
2. The Inspector of Police,
Cyber Crime Wing Police Station,
Trichy.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.14678 and
14703 of 2021
Date :04/10/2021

RD/VR/SAR-II(26.10.2021) 3P 4C

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