



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Eighth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6709 of 2022

SATHYA PRABHU

[PETITIONER / ACCUSED]

Vs

STATE INSPECTOR OF POLICE
PERAMBALUR POLICE STATION,
PERAMBALUR DISTRICT.
CRIME NO.155 OF 2022.

[RESPONDENT]

For Petitioner : M/S. M.R.ELAVARASAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

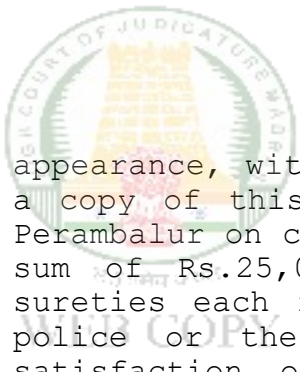
ORDER : The Court Made the following order :-

This petitioner herein is an absconding accused in a case where the prosecution has registered in Crime No.155 of 2022 for the offences punishable under Sections 153A & 505(ii) of IPC alleging that this petitioner has released audio speeches inciting religious disharmony.

2. Reading of the First Information Report indicates more than 6 or 7 incidents does not disclose what sort of utterance, which has lead to disharmony among the community in any event.

3. The learned Government Advocate (crl.side) has filed a detailed counter stating that this petitioner is habitually releasing audio clippings and creating disguised enmity among the religions and already 7 cases had been registered against him. He further submitted that the petitioner is not cooperating with the investigation.

4. In the said circumstances, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his



appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Perambalur on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the Investigating Officer twice in a day, i.e., at 10.30 a.m. and 5.30 p.m., and cooperate with the investigation until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
28/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE,
NO.I, PERAMBALUR.

2 THE CHIEF JUDICIAL MAGISTRATE
PERAMBALUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
PERAMBALUR POLICE STATION,
PERAMBALUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. M.R.ELAVARASAN Advocate on payment of necessary
charges SR.NO.4631

CRL OP.6709/2022

Date :28/03/2022

JPA 31/03/2022