



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 03/02/2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.2208 of 2022

Mohamed Mydeen @ Seppillai Mydeen

... Petitioner/Sole Accused

Vs

The State Rep.by  
The Inspector of Police,  
Melapalayam Police Station,  
Tirunelveli City.  
(Crime No.539/2021).

... Respondent/Complainant

For Petitioner : M/s. S.M.A.Jinnah  
Advocate.

For Respondent : S.Manikandan,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.539/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 153A, 295A, 504, 505(2), 506(i) of IPC Crime No.539 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that while addressing the public gathering on 07.12.2021 at about 6 pm in the place of occurrence, he made a public speech regarding some religious and political issue. Based on the speech that has been made by the petitioner, this case has been registered for the reason that the petitioner has exceeded the right of speech and liberty and the freedom of expression and wounded the feelings of other religious



3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that It is a matter for investigation. It is also not known that subsequent to the incident, there was any communal issue prevailed in the area.

5. Considering the nature of offence and the fact that a public speech that has been made by the the petitioner, this Court is inclined to grant anticipatory bail to the petitioner. This Court hopes that the petitioner will not wound the feelings of other religious people in future.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.V, Tirunelveli, on condition that the petitioner shall execute 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 the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

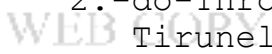
sd/-  
03/02/2022

/ TRUE COPY /

/ /2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

pnn

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.



CRL OP(MD). No.2208 of 2022

TO

- 1.The Judicial Magistrate No.V, Tirunelveli.
- 2.-do-Through The Chief Judicial Magistrate,  
Tirunelveli.
- 3.The Inspector of Police,  
Melapalayam Police Station,  
Tirunelveli City.(Crime No.539/2021).
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

ORDER  
IN  
CRL OP(MD) No.2208 of 2022  
Date :03/02/2022

RD/SBN/SAR-I (11.02.2022) 3P 5C