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

Dated: 08/07/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP(MD)No.11784 of 2022

Nasar Mohamed ... Petitioner/Sole Accused

Vs.

State represented by
Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.410 of 2017)

... Respondent/Complainant

For Petitioner : Mr.T.Antony Arul Raj, Advocate

For 1st Respondent : Mr.Thanga Aravindh.B
Government Advocate(Criminal side)

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

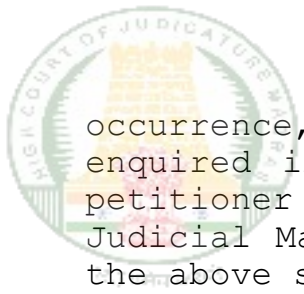
PRAYER:-

For Anticipatory Bail in Crime No.410 of 2017 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as sole accused apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 500, 506(i) IPC and 66(A) of Information Technology Act 2010, in Crime No.410 of 2017 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 14/05/2017 and 15/05/2017 by utilising the fake ID, defamatory statements have been made against the de-facto complainant and his family members in the face-book. Noting that only the accused person has made the above said defamatory statements in the face-book. The accused was enquired by the de-facto complainant. At that time, he scolded him with filthy language and also threatened him that he will continue to do such things in future. So based upon the above said



occurrence, the complaint given by the de-facto complainant was enquired in CP No.148 of 2017. AS no action has been taken, the petitioner filed a petition under section 156(3) Cr.P.C before the Judicial Magistrate, Nilakottai, which was also ordered. Based upon the above said direction, the case has been registered.

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3.Now seeking anticipatory bail, this petition has been filed by this petitioner stating that there is continuous trouble between the de-facto complainant and the petitioner herein regarding the Jamath management. Because of that only continuous false complaints have been registered against the petitioner. He has also listed out the number of cases against him. So far as this case is concerned, he was not aware about the pendency of the case. So he moved this anticipatory bail petition now only.

4.Heard both sides.

5.The offence is of the year 2017. Now we are in the 2022. By this time, major portion of the investigation might have been over. Considering that fact that continuous trouble exists between the petitioner and de-facto complainant over the management of Jamath. So, at the length of time, the custodial interrogation of the petitioner may not be required.

6.Considering the above facts and circumstances of this case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Nilakottai and on his executing 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. The petitioner shall appear before the concerned Judge 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/-

08/07/2022

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Sub-Assistant Registrar (C.S.II)
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 JUDICIAL MAGISTRATE,
NILAKOTTAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE INSPECTOR OF POLICE,
BATLAGUNDU POLICE STATION,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.ANTONY ARUL RAJ T Advocate SR.No.6836

ORDER
IN
CRL OP(MD) No.11784 of 2022
Date :08/07/2022

SP/SVR/SAR II/15/07/2022/3P/6C