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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12177 of 2022

Mohamed Hanifa,

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Courtallam Police Station,
Cr.No.231/2022.

... Respondent/Complainant

For Petitioner : Mr.G.Anto Prince, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

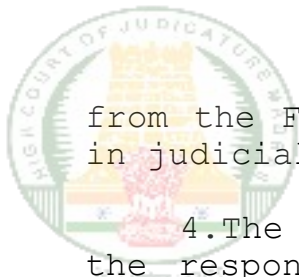
For Bail in Cr.No.231/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 20.06.2022 for the alleged offences under Sections 153A, 504, 505(1)(b), 505(1)(c), 505(2) and 506(ii) IPC in Crime No.231 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner has posted defamatory messages in the Face Book on 20.06.2022, which caused fear in the minds of the general public and promoting enmity between the people of different religion.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has already filed an undertaking affidavit before the respondent police that he will not indulge in such activities in future and further he has deleted the above said defamatory message



from the Face Book. He would further submit that the petition is in judicial custody from 20.06.2022.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that he has filed an undertaking before the respondent police that he has deleted the defamatory message and he will not make the same in future.

5.Considering the facts and circumstances of this case and that the undertaking given by the petitioner and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 District Munsif Cum Judicial Magistrate, Shencottai and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

7.If any violation is noticed in future, bail granted by this Court, shall stand automatically cancelled without reference to this Court.

sd/-
19/07/2022

/ TRUE COPY /

20/07/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
SENCOTTAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
COURTALLAM POLICE STATION,



4 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUNELVELI.

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

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+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-7325[I] dated 19/07/2022)

ORDER

IN

CRL OP(MD) No.12177 of 2022

Date :19/07/2022

trp

PKP/SVR/SAR-3/20.07.2022/3P/7C