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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.18156 of 2022

Salai Perarasan

... Petitioner/Accused (Sole)

Vs

State rep.by

The Inspector of Police,
Annavaasal Police Station,
Pudukkottai District.
(Crime No.212/2022).

... Respondent/Complainant

For Petitioner : M/s.Venkatesan P, Advocate

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.212/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 153, 508 I.P.C and Section 67 of Information Technology Act, 2000, in Crime No.212 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the advisor of Meivazhi Sabai situated at Annavaasal, Illuppur Taluk, Pudukkottai District and it is the practice that the persons, who have skilled for playing the instruments like Thunthumi and Yekkalam, would play the instruments during the prayer. Now there is no such persons available to play the said instruments, the President of the above said Sabai arranged some other 10 persons, other than the traditional man and those persons were playing the instruments. In the meanwhile, the petitioner has spread the message through whatsapp that he is criticizing the practice of



playing instruments during normal days and also used to abuse in filthy language. Hence, the complaint.

3. On the side of the petitioner, it is stated that the petitioner is innocent and he had not committed any such offence, as alleged by the prosecution. There was two groups in the said Sabai and the petitioner belonged to opposite group and due to rival enmity, this false case was foisted against him. He is no way connected with the offence. Hence, prays to release him on anticipatory bail.

4. On the side of prosecution, it is stated that the petitioner is not having any bad antecedent. In this case, the petitioner used to criticize the said Sabai, by spreading message through whatsapp. Custodial interrogation of the petitioner is necessary in this case to complete the investigation and hence, prayed to dismiss the petition.

5. Considering the gravity of the offence, the serious allegations levelled against the petitioner, the nascent stage of investigation and also considering the vehement objection raised by the prosecution, this Court is not inclined to grant anticipatory bail to him.

6. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
12/10/2022

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/10/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1. THE INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
PUDUKKOTTAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18156 of 2022
Date :12/10/2022