



Crl.O.P.No.22927 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.10.2023

Coram:

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22927 of 2023

R. Kumaraguru, Ex.M.L.A, aged 62 years,
S/o.Ramasamy,
No.23, Main Road Edaikkal,
Thiruppeyar, Ulundurpet,
Kallakuruchi District – 606 305.

... Petitioner/ Accused

/versus/

State
Rep. by the Sub Inspector of Police,
Kallakuruchi Police Station,
Kallakuruchi District.

... Respondent/ Complainant

Prayer: Criminal Original Petition has been filed under Section 438 of Cr.P.C., pleaded to enlarge the petitioner on Anticipatory Bail in the event of arrest in Kallakuruchi Police Station, Kallakuruchi District, Crime No.731 of 2023.

For Petitioner : Mr.T.Rajagopalan,
for Mr.E.Balamurugan

For Respondent : Mr.Babu Muthu Meeran, A.P.P.
Assisted by Mr.N.Suganthan, Govt. Advocate.



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ORDER

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The petitioner herein sought for anticipatory bail apprehending arrest at the hands of the respondent police pursuant to the Crime No.731 of 2023 registered against him for making defamatory and derogatory statements against Hon'ble Chief Minister of Tamil Nadu and the Minister for Youth Welfare and Sports Development.

2. Since, the petitioner had realised about his defamatory speech and tendered apology through twitter and whatsapp, he sought for protection from arrest. However, this Court felt that, if admittedly defamatory speech was made in a public meeting, apology should also be in the same manner.

3. The petitioner herein has convened the public meeting on 10.10.2023 in the same place and tendered apology and the same is widely reported in the newspaper and newspaper cutting is also enclosed today.



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4. In view of the above fact that, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is released on anticipatory bail on condition that the petitioner shall execute a bond for for sum of Rs.10,000/- with two securities each for a likesum to the satisfaction of the Learned 1st Judicial Magistrate, Kallakuruchi District, within a period of two weeks. Since the petitioner has realised his mistake and tendered apology, this Court recommend the Government to withdraw the complaint.

11.10.2023

Index :Yes/No.
Internet :Yes/No.
Speaking Order/Non-Speaking Order
bsm

Copy to:-

1. The Learned 1st Judicial Magistrate, Kallakuruchi District.
2. The Sub Inspector of Police, Kallakuruchi Police Station, Kallakuruchi District.



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Dr.G.JAYACHANDRAN,J.

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