



(1)CrI.OP(MD)No.12187 of 2023:-

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 19/07/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

CrI.OP(MD)Nos.12187 and 12194 of 2023

(1)CrI.OP(MD)No.12187 of 2023:-

R.Vijayakumar

...Petitioner/Sole Accused

Vs.

The State rep. by
The Inspector of Police,
CCD III Police Station,
Madurai District.
(Crime No.9 of 2023)

....Respondent/Complainant

For Petitioner : Mr.G.Prabhu Rajadurai,Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

(2)CrI.OP(MD)No.12194 of 2023:-

R.Vijayakumar

...Petitioner/Sole Accused

Vs.

The State rep. by
The Inspector of Police,
CCD III Police Station,
Madurai District.
(Crime No.8 of 2023)

... Respondent/Complainant



(1)Crl.OP(MD)No.12187 of 2023:-

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For Petitioner : Mr.G.Prabhu Rajadurai,Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER:- For Anticipatory Bail in Crime Nos.8 and 9 of 2023 on the file of the respondent police.

COMMON ORDER: The Court made the following order:-

The petitioner, who is arrayed as sole accused for the offences punishable under sections 153(A), 153A(1)(b) and 505(1)(b) of IPC, in Crime Nos.9 and 10 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution, in both cases, is that on 17/03/2023, the petitioner posted offensive messages in his face book regarding the functioning of the Indian Navy in safeguarding the fishermen lives and amalgamation of Pondicherry with Tamil Nadu.

3.Heard both sides.

4.Without going into other aspects, one important aspect was brought to the notice of this court that this petitioner was having conduct with some unlawful groups. A detailed report has also been produced before this court by the respondent to show the action of the petitioner.



(1)Crl.OP(MD)No.12187 of 2023:-

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5. According to the learned Additional Public Prosecutor, because of the information over the above said unlawful group only, this sort of messages have been made by the petitioner with an intention to create enmity between the communal and religious people in Tamil Nadu. Originally, after marriage, he was settled in Kerala and was doing some business and later, shifted to Thanjavur and doing some sort of work and continuously, indulged in such sort of activities. Even at one point of time, he was also directed to file an affidavit not to do any such sort of activities in future. He has also filed an affidavit of undertaking. But however, he has not corrected himself.

6. Even though, the learned counsel appearing for the petitioner would submit that the petitioner is a law abiding citizen and the above said undertaking was filed only after registration of the FIR. The allegation is that he is having contact with unlawful group is not a reasonable ground. So according to him, absolutely without any intention, the above said messages have been created by him. Now he is also ready to file an undertaking affidavit also.

7. But, as stated above, when serious allegation of having contact with unlawful groups, this petitioner cannot expect any discretionary relief from this court. So, I find no reason to entertain these petitions.



(1)Crl.OP(MD)No.12187 of 2023:-

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8.In the result, both criminal original petitions are dismissed.

sd/-
19/07/2023

/ TRUE COPY /

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ER
TO

1 THE INSPECTOR OF POLICE
CCD III POLICE STATION,
MADURAI DISTRICT.

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

ORDER
IN

Crl.OP(MD)Nos.12187 and 12194 of 2023

Date :19/07/2023

PKP/VRS/SAR- /08.08.2023/ 4P/ 3C

Madurai Bench of Madras High Court is issuing certified
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