



CRL OP(MD). No.13205 of 2023

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

Date : 20/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.13205 of 2023

Vijaykumar

... Petitioner/ Accused No.2

Vs

State Rep.by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
Crime No.329/2023..

... Respondent/Complainant

For Petitioner : Mr.Prabhu Raj A,Advocate
For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.329/2023 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 505(i)(c) IPC and 66 of Information Technology Act, 2000, in Crime No.329 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on

23.06.2023 at about 10.29a.m., the accused persons posted a defamatory post in
<https://www.mhc.tn.gov.in/judis>



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Facebook ID regarding the Sivagangai Samasthanam and legal heirs of King Gowri

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Vallabar. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and a false complaint has been foisted against him, due to previous enmity. The co-accused has been enlarged on anticipatory bail by this Court in Crl.OP(MD) No.12710 of 2023, dated 13.07.2023. Hence, prays to release the petitioner on anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that though the alleged post has been removed from the social media, the accused persons had posted defamatory post against Sivagangai Samasthanam. Hence, prays to dismiss the petition.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6.Perusal of records reveal that there was a dispute between the parties over the construction of temple. Over which, defamatory posts have been posted in the social media. However, the disputed posts have been deleted from the social media, even prior to registration of FIR.

7.Considering the above facts and circumstances of the case and nature of dispute between the parties and the co-accused has already been enlarged on



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anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Sivagangai, on condition that the petitioner shall execute 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 (*)learned Judicial Magistrate No.I, Pondicherry daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioner shall appear before the concerned Magistrate 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/-
20/07/2023

(*)Amended as per order of this Hon'ble Court in
CRL OP(MD).13205/2023 dated 03.08.2023

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



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TO

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TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCEHD 31.07.2023

1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE, SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

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

COPY TO

1 THE JUDICIAL MAGISTRATE No.I, ARANI.

2 DO THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THIRUVANNAMALAI DISTRICT.

3 THE JUDICIAL MAGISTRATE No.1, PONDICHERRY.

4 DO THROUGH : THE CHIEF JUDICIAL MAGISTRATE, PONDICHERRY.

+1 CC to M/s.A.PRABHU RAJ, Advocate (SR-10989[I] dated 20/07/2023)

ORDER
IN

CRL OP(MD) No.13205 of 2023

Date :20/07/2023

PKP/DD/SAR- /28.07.2023/ 4P/8C

RS/BUC/SAR- /08.08.2023/4P/10C

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