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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14544 of 2023

1.R.Alavudeen

2.A.Sikkanthar Oli

3.H.Satham Hussain

... Petitioner/ Accused Nos.1 to 3

Vs

The State represented by
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.301 of 2023)

... Respondent / Complainant

For Petitioner : M/s.S.Atham Ali
Advocate.

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.301 of 2023 on the file of the Respondent police.



ORDER : The Court made the following order :-

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The petitioners/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 153A, 505(1)(a) of IPC and Sections 3 and 4(1) of TN Open Places (Prevention of Disfigurement) Act, 1959, in Crime No.301 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 28.07.2023, as an arrangement of a political party meeting, the petitioners have alleged to have placed banners degrading the Hindu holy Gods, in order to create religious issues in the society. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. The petitioners have filed undertaking affidavit that they will not indulge themselves in such activities in future.

4. Learned Government Advocate (Crl.side) would submit that the petitioners have created enmity between people.



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5. Learned counsel for the petitioner would submit that the petitioners have filed an undertaking affidavit apologizing their activities and also undertook that they will not commit such offences in future.

6. Considering the facts and circumstances of this case and also considering the undertaking affidavit filed by the petitioner tendering apology, this Court is inclined to grant relief to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Nilakkottai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 of Cr.P.C., scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the

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petition for anticipatory bail will stand dismissed.

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

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TO

1 THE JUDICIAL MAGISTRATE, NILAKKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3 THE INSPECTOR OF POLICE
BATLAGUNDU POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER

IN

CRL OP(MD) No.14544 of 2023

Date :04/09/2023

SSA/JGB/15.09.2023/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023