



CRL OP(MD). No.15007 of 2023

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

Date : 13/10/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.15007 and 15009 of 2023

CRL OP(MD). No.15007 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

CRL OP(MD). No.15009 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



CRL OP(MD). No.15007 of 2023

(In Both petitions)

For Petitioner : Mr.G.Prabhu Rajadurai, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

PETITION 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.

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(A), 153A(1)(b) and 505 (1)(b) of I.P.C, in Crime No.8 and 9 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution, in both cases, in that on 17.03.2023, the petitioner posted offensive messages in his Face Book account, regarding functioning of the Indian Navy in safeguarding the fishermen lives and amalgamation of Pondicherry with Tamil Nadu.

3. The earlier applications were came to be dismissed, on the ground that the petitioner is stated to be a supporter of un-lawful banned organization. But later, it was submitted to the Court that in Crime No.10 of 2023, he was arrested and remanded to judicial custody. During that time, P.T.warrant request was made by



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the Police in Crime No.8 of 2023, but that was rejected by the learned Judicial Magistrate No.I, Madurai. So far as the Crime No.9 of 2023 is concerned, only summon is issued to the petitioner for investigation. So that the change of circumstances was brought to the notice of this Court. Considering the fact that PT Warrant request is already been rejected by the learned Judicial Magistrate No.I, Madurai, I find no reason to deny the anticipatory bail to the petitioner in Crime No.8 of 2023. Similarly, in Crime No.9 of 2023, summon is issued to the petitioner. So, he is also entitled for anticipatory bail in this matter.

4. At that time of hearing on 15.09.2023, the respondent namely Investigation Officer is present before this Court and submitted that in pursuance of the order passed by this Court, the petitioner appeared before her, investigation is in half way and some more particulars have to be collected from this petitioner. On that ground, he was directed to appear before the respondent daily at 10.30 a.m. At that time of hearing on 27.09.2023, a grievance was expressed by the learned counsel for the petitioner that the petitioner has to come from Chennai and it causing trouble to his job, on that ground, he is directed to appear before the respondent Police once in a week on every Sunday. With the above said, these petitions are allowed.

5. Accordingly, these Criminal Original Petitions are allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the



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learned Judicial Magistrate No.I, Madurai, 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 respondent Police on every Sunday at 10.30 a.m. until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
13/10/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

To

1.The Judicial Magistrate No.I,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.



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3.The Inspector of Police,
CCD III Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2CC to M/s.G.PRABHU RAJADURAI, Advocate, SR Nos.47868 and 47869, dated
16.10.2023

ORDER
IN
CRL OP(MD). Nos.15007 and 15009 of 2023
Date :13/10/2023

ED/DD/SAR- (16/11/2023) 5P / 7C

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