



CRL OP(MD). No.16123 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16123 of 2023

P.Ramaraj,

... Petitioner/ Accused

Vs

The Inspector of Police,
Sendhamaram Police Station,
Tenkasi.

Cr. No. 184 of 2023.

... Respondent/ Complainant

For Petitioner : M/s.MARIO JOHNSON.D,
Advocate.

For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No. 184 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused herein, who was arrested on 14.08.2023 for the alleged offence under Sections 153A, 505(1)(b), 505(1)(c), 505(2) and 506(2) of IPC in Crime No.184 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is as per the defacto complainant's version is that the defacto complainant is the Sub Inspector of Police. He came across the whatsapp message in the form of vedio uploaded by the accused person herein making some



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comments upon the incident that took place in Nanguneri. It was an interview given by this accused to a private Youtube channel. During the course of the above said interview, he made some defamatory statement against some particular community people. His intention is to create enmity between two groups. On the basis of the above said interview case was registered and the petitioner was arrested and remanded to judicial custody.

3.He moved bail application before the learned Principal District Judge, Tirunelveli, it came to be dismissed by the order dated 31.08.2023. Before that he moved the trial Court that also came to be dismissed by the order dated 18.08.2023. No doubt elaborate discussion has been made by the trial Court as well as the District Court. But the learned counsel appearing for the petitioner would submit that he is ready to stay away from the occurrence place and also ready to abide any condition that may imposed upon him. Reading of the above said interview as extracted by the defacto complainant in the complaint shows that some sort of insulting and inciting language has been used by the petitioner against particular community. The petitioner being a retired officer, who was holding a responsible post for some time ought not to have indulged in such sort of activities.

4.But, however, considering the fact that he is in custody from 14.08.2023, this Court is inclined to grant bail to the petitioner on Stringent conditions.



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5. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall file an undertaking affidavit before the trial Court concerned to the effect that he will not indulge in such activities in future.

6. On such filing of affidavit, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Judicial Magistrate, Tenkasi and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
05/09/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO
1 THE JUDICIAL MAGISTRATE,
TENKASI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE OFFICER INCHARGE,
SUB AIL, TENKASI.



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4 THE INSPECTOR OF POLICE,
SENDHAMARAM POLICE STATION,
TENKASI.

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

+1 CC to M/s.D.MARIA JOHNSON, Advocate (SR-13206[I] dated 05/09/2023)

ORDER IN
CRL OP(MD) No.16123 of 2023
Date :05/09/2023

SA/SAR. /05.09.2023/4P/7C

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