



CRL OP(MD). No.17436 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/09/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.17436 of 2023

Murugan

... Petitioner/Sole Accused

Vs

State Represented by,
The Inspector of Police,
Sengottai Police Station,
Tenkasi District.
(Crime No.206 of 2023).

... Respondent/Complainant

For Petitioner : Mr.T.Eashwar, Advocate.

For Respondent : Mr.S.Ravi, Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.206 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 153, 153(A) and 505(ii)

IPC in Crime No.206 of 2023 on the file of the respondent police, seeks anticipatory



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2.The case of the prosecution the defacto complainant is working as Sub-Inspector of Police attached with the respondent Police Station. On 08.09.2023, while he was watching social media, wherein, he came across a video in the face book posted by the petitioner. The said video is promoting enmity between two groups of people in the place of worship and creating rumor against the Government. Hence, the complaint.

3. The learned counsel for the petitioner would contend that the petitioner is an innocent. He would further submit that the petitioner is working as Vice President in BJP party. On 08.09.2023, he placed a statue of Lord Vinayaga in his street, which was opposed by the police officials. In order to take revenge, the false case has been registered against the petitioner. The petitioner did not posted any video as against the Government in the social media. Hence, he seeks anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the petitioner is having one previous case not in similar nature.

5. Heard both side and perused the materials available on record.

6. Considering the submissions on either side and considering that the petitioner is having no previous case in similar kind of offences and considering the nature of offences, this Court is inclined to grant anticipatory bail to the petitioner,



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subject to the following conditions:

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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Segottai, 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 on further condition that:

[a] the petitioner shall report before the respondent Police on every Saturday at 10.00 am., for the period of four weeks and thereafter, as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



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[e] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229A IPC.

sd/-

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/10/2023

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

INDU

TO

- 1 THE JUDICIAL MAGISTRATE, SENGOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE, SENGOTTAI POLICE STATION,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.17436 of 2023

Date :29/09/2023

RS/DD/SAR-(05.10.2023) 4P 5C

Madurai Bench of Madras High Court is issuing
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