



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

Friday, the Sixth day of January Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL MP(MD) No.16017 of 2022

IN

CRL OP(MD) No.19792 of 2022

1 HAJI I.ASHARAF ALI ... PETITIONER/DE-FACTO COMPLAINANT

Vs

1. THE STATE REP BY
THE INSPECTOR OF POLICE
KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.650 OF 2022.

... RESPONDENT / RESPONDENT/ COMPLAINANT

2 ABDULLAH ... RESPONDENT/PETITIONER/ACCUSED

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to cancel the order granting anticipatory bail by this Hon'ble Court in favor of the 2nd Respondent in Crl.OP.(MD).No.19792 of 2022 vide order dt.9.11.2022 in connection with the case in Cr.No.650 of 2022 registered by the Inspector of Police, Kenikkarai Police Station, Ramanathapuram District.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.N.BALASUBRAMANIAN, Advocate for the petitioner and of Mr.M.VEERANTHIRAN, Govt. Advocate (CRL Side) for Respondent the court made the following order:-

The Criminal Miscellaneous Petition has been filed to cancel the order granting anticipatory bail by this Court in favour of the second respondent in Crl.O.P.(MD)No.19792 of 2022 vide order dated 09.11.2022 in connection with the cse in Crime No.650 of 2022 registered by the Inspector of Police, Kenikkarai Police Station, Ramanathapuram District.

2.The learned counsel for the petitioner/de-facto complainant would submit that on the complaint given by the de-facto complainant, a case in Crime No.650 of 2022 came to be registered against the accused for the offences under Sections 294(b) and 505 (i)(b) IPC and Section 67(A) of Information Technology Act. The

<https://www.mca.gov.in/>, in the complaint, is that the accused with a sole



intention to cause threat and damaged the reputation, name of the petitioner had uploaded obscene contents about the petitioner in social media. While the case was pending, the accused had approached this Court seeking for pre-arrest bail in CrI.O.P.(MD) No.19792 of 2022. During the filing of the petition and the course of arguments, the accused had suppressed the yet another case pending against him, had obtained anticipatory bail. The fact remains that there is yet another case pending against the accused in Crime No.675 of 2020 for similar offences and thereby, the petitioner had filed this application seeking to cancel the anticipatory bail granted to the second respondent/accused.

3. Notice was ordered to the respondent police as well as the second respondent/accused.

4. The learned Government Advocate (CrI. side) would submit that the accused is also involved in another case registered in Crime 675 of 2020 registered for similar offences. However, he would further submit that the accused neither arrested nor obtained any anticipatory bail.

5. The learned counsel for the second respondent/accused would submit that the accused was not aware of the earlier case and that as on date, he has removed all the alleged contents in the social media and the Face Book account has also been closed now. He would further submit that the accused has also filed an affidavit of undertaking before this Court stating that he will not upload any material against the petitioner/de-facto complainant in any social media in future and thereby, he would seek for dismissal of this petition.

6. Heard. Perused the materials available on record. It is stated by the second respondent/accused that he has not aware of the earlier case pending against him and he has also filed an affidavit of undertaking that he will not upload any material against the de-facto complainant.

7. In view of the above, this Criminal Miscellaneous Petition stands closed.

sd/-

06/01/2023

/ TRUE COPY /

/01/2023

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



TO

1 THE JUDICIAL MAGISTRATE, NO.II, RAMANATHAPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE
KENIKKARAI POLICE STATION, RAMANATHAPURAM DISTRICT.

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

ORDER

IN

CRL MP(MD) No.16017 of 2022

IN

CRL OP(MD) No.19792 of 2022

Date :06/01/2023

TR/MMS/SAR-IV(19.01.2023) 3P 5C