



Crl.OP.No.345 of 2024

Crl.O.P.No.345 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/accused in Crime No.68 of 2023 registered by the respondent police for the offences punishable under Sections 153, 153A, 504, 505 (1)(d) 505(1) (c) of IPC, 1860 seeks anticipatory bail .

2. It is stated that the petitioner has posted a derogatory post as against the leader of the political party which led to the lodging of complaint and registration of an FIR. An affidavit has now been filed by the petitioner, wherein it had been stated as follows:

“ 3. The petitioner humbly submits that the said post mentioned in the FIR was not posted by the petitioner with the intention to provoke enmity but to mean that the no particular community must be diverted to rage and rivalry for the sake of caste. He has expressed his view as a person who has been a victim of caste discrimination and suppression. No intention to defame or provoke a particular caste was implied” .



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3. Taking an over all view of the aforementioned statements made in the affidavit, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

4. 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 District Munsif-Cum-Judicial Magistrate, Sendurai, Ariyalur* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



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[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

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

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

[e] 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

06.02.2024

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