



CRL OP(MD). No.7425 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/05/2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRL OP(MD). No.7425 of 2024

1. A.S.Mani

2. P.Manickavaasakam

... Petitioners/ Accused No.1 & 2

Vs

The Inspebctor of Police,
Kodaikkanal Police Station,
Dindigul District.
(Crime No.157/2024)

... Respondent/Complainant

For Petitioners	:	Mr.S. Mahendra Pathy, Advocate.
For Respondent	:	Mr.M.Muthumanikkam, Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.157 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections (*)294 (b), 295A, 298, 502, 503 and 504 I.P.C., in Crime No.157 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the petitioners are said to have circulated defamatory statement in a Magazine. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners are ready to cooperate with the enquiry.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the first petitioner is the Editor of the Magazine and the second petitioner is the reporter. The petitioners circulated a defamatory statement in the Magazine and committed the offence.

5. Considering the facts and circumstances of the case and considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kodaikanal, Dindigul

District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-

<https://www.mhc.tn.gov.in/judis>



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(Rupees Ten Thousand only)each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioners are directed to co-operate with the police for further investigation. The petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

[d]the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



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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 229-A IPC.

sd/-
22/05/2024

(*) Amended as per order of the court dated 11.07.2024 in Crl MP(MD)No. 6980 of 2024 in Crl OP(MD)No. 7425 of 2024 by AANJ

Time is extended by two weeks from the date of receipt of a copy of this order.

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE JUDICIAL MAGISTRATE, KODAIKANAL, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPEBCTOR OF POLICE, KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.

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



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+1 CC to M/s.S.MAHENDRAPATHY, Advocate (SR-7734[I] dated 11/07/2024)

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ORDER

IN

CRL OP(MD) No.7425 of 2024

Date :22/05/2024

RS/VR/SAR-(23.05.2024) 5P 6C

PKP/JGB/SAR /19.07.2024/ 5P/ 6C

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