



CRL OP(MD). No.12246 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.12246 of 2024

Muthulingam,

... Petitioner/accused

Vs

The Inspector of Police,
Paramakudi Town P.S.,
Ramanathapuram District.
Crime No. 217/2024..

... Respondent/Complainant

For Petitioner : M/s. Sivashankar .M,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 217 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 196, 299, 352 and 353(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Cr.No.217 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has created communal clash between two religion by posting messages against one of the religion in Face Book. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. However, he is ready to abide any conditions that may be imposed by this Court on the petitioner. Hence, he may be released on anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner has created communal clash between two religion by posting messages against one of the religion in Face Book and the investigation is pending. Hence, he strongly opposed to grant anticipatory bail.

5. At this juncture, the learned counsel appearing for the petitioner submits that the petitioner has realized his mistake and he undertakes that he will not indulge in any offence in future.



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6. Considering the undertaking given by the petitioner that he will not indulge in any offence in future, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Paramakudi, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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;

(b) the petitioner shall tender unconditional apology that has to be uploaded in the same Face Book and the petitioner shall file an undertaking affidavit before the respondent Police as well as before the concerned Magistrate that he will not indulge in any offence in future.



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(c) the petitioner shall report before the Trichy Cantonment Police Station daily at 10.30 a.m, for a period of three weeks and thereafter, as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]*; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
31/07/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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DSS
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TO

- 1 THE JUDICIAL MAGISTRATE
PARAMAKUDI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
PARAMAKUDI TOWN P.S.,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE INSPECTOR OF POLICE,
TRICHY CANTONMENT POLICE STATION,
TRICHY.

ORDER
IN
CRL OP(MD) No.12246 of 2024
Date :31/07/2024

SS/VR/SAR- /09/08/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023