

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/11/2019

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD).No.15967 of 2019

JABIN CHARLES

... PETITIONER/SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
VADASERY POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.331 OF 2019.

... RESPONDENT/COMPLAINANT

For Petitioner: M/s. S.R. Anbarasu,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 331 Of 2019 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 505(ii) of I.P.C., and 67 B of Information Technology Act, 2000, in Crime No.331 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The petitioner had posted a highly derogatory post pertaining to the Hon'ble Prime Minister of India in the face book.

4. The petitioner's counsel, on instructions, gives an undertaking that the petitioner would file an affidavit expressing his apology before the trial Magistrate. The apology should be worded in such a way that the petitioner expresses his regret. It should be evident that he has realized his mistake.

5. The petitioner's counsel, on instructions, gives an further undertaking that for the next one year, the petitioner will not be in the social media.

6. Recording the said undertaking of the petitioner, I am inclined to grant anticipatory bail to the petitioner with certain conditions. If this undertaking is breached, it is open to the prosecution to apply for cancellation of anticipatory bail.

7. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate Court, Nagercoil, Kanyakumari District, and on his executing 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 the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-

04/11/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
NAGERCOIL, KANYAKUMARI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE,
VADASERY POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADRURAI BENCH OF MADRAS HIGH COURT, MADURAI.

<http://www.judiciary.gov.in>

+1 CC to M/s.S.R.ANBARASU, Advocate (SR-18912[I] dated 04/11/2019)

ORDER

IN

CRL OP(MD) No.15967 of 2019

Date :04/11/2019

JM/VR/SAR 3/07.11.2019/2P/6C



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