

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 31/10/2019

PRESENT

**The Hon'ble Mr. Justice G.R. SWAMINATHAN**

CRL OP(MD). No.15396 of 2019

R.Alexander @ Mahadev

... Petitioner/Accused

Vs

State Rep.by  
The Inspector of Police,  
K.Pudur Police Station,  
Madurai.  
Crime No.679 of 2019.

... Respondent/Complainant

For Petitioner : M/s.R.Senthil Kumar,  
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.679 of 2019 on the file of the respondent police.

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 is shown as accused in Crime No.679 of 2019 registered on the file of the K.Pudur Police Station for the offences punishable under sections 153A and 505(2) of I.P.C. Hence, he seeks anticipatory bail.

3. The learned Government Advocate (Crl.side) pointed out that the petitioner had posted highly offending messages derogatory to the muslim community and offending their feelings and sentiments.

4. The conduct of the petitioner cannot be appreciated. If the petitioner thinks that he is upholding his dharma by indulging in such acts, he is sadly mistaken.

5.The petitioner's counsel at this stage gives an undertaking that the petitioner will totally keep off from social media for the next one year. He will totally refrain from posting any kind of such messages offending any community even after expiry of the cooling off period.

6. Recording the undertaking of the petitioner, I am granting relief of anticipatory bail to the petitioner. The petitioner is aged about 27 years and if he is arrested, his future may be doomed. That apart, the petitioner is not having any previous case. These are the considerations that impel me to grant anticipatory bail. If the petitioner breaches the undertaking now given, it is open to the respondent to file a petition for cancellation of the relief.

7. Recording the petitioner's undertaking and subject to the aforesaid observations, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.6, Madurai, 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/-

31/10/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.6, MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE, K.PUDUR POLICE STATION, MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.SENTHIL KUMAR Advocate SR.No.18714

ORDER IN

CRL OP(MD) No.15396 of 2019

Date :31/10/2019