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CRL OP Nos. 16712 & 16713
2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP Nos. 16712 & 16713 of 2025

Prem Anand Manickam
Son of Manikam,
No.9/13, Keelakodikkal Street,
Kulithalai, Karur - 639 104.

Petitioner(s) in
Crl.O.P.No.16712 of 2025

Nirmal Jayaraman
Son of Jayaraman,
No.248/F3, ARK Apartment,
Sangiliyandapuram, Tiruchirappalli – 620 001.

Petitioner in Crl.O.P.No.16713
of 2025

Vs

State rep.by its, Inspector of Police,
CBCID, Metro Wing, Egmore,
Chennai-8. (Crime No.1/2025)

Respondent(s) in both
Crl.O.P's



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PRAYER in both CRL OP's: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.1/2025 on the file of the respondent police and thus render justice.

Appearance of counsel in both Crl.O.P's

For Petitioner(s) Mr.V.Balamurugan
in Crl.O.P.No.16712 of 2025 For Mr.J.Nagarajan

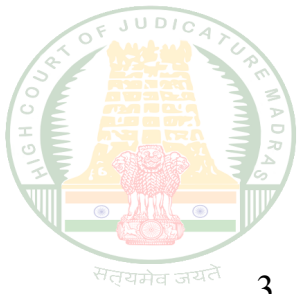
For Petitioner(s) Mr.V.Balamurugan
in Crl.O.P.No.16713 of 2025 For Mr.N.Ekalaivan

For Respondent(s) in both Mr.V. Meganathan
Crl.O.P's Government Advocate (crl. side)

COMMON ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 14B of the Foreigners Act and Sections 111(2)(b) and 351(2) of BNS, 2023 in Crime No.1 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The petitioner in Crl.O.P.No.16712 of 2025 is arrayed as A2 and the petitioner in Crl.O.P.No.16713 of 2025 is arrayed as A3.



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3. The main contention of the learned counsel for the petitioners is that the accused No.1 in this case, namely, Johnson Angelo, who is a Sri Lankan National, was arrested by the respondent Police on 04.02.2025, on suspicion and he was detained by the Immigration Officials and later found that he along with these petitioners were attempting to device a plan to prepare a website and post child pornography pictures and videos and, if any person accidentally clicks in the website, they intend to threaten the users and collect huge amounts from them. Thus, they were planning to commit the cyber crime. Further, he would submit that the petitioners made an attempt only and they have not participated in the alleged activities. It is also submitted that the petitioners are permanent residents of Tamil Nadu, viz., Karur and Tiruchirappalli respectively and involved in deep social works. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate appearing for the respondent



strongly opposed the contention and submitted that A1 along with the petitioners made arrangements in the earlier visit to India and at that time of staying in India, they have planned and devised a scheme how to circulate the website and if any person clicks the website, thereby would trap the innocent callers and to commit the crime. Hence, he submitted that the custodial interrogation of the petitioners are necessary, since the electronic gadgets from them have to be seized. Further, it is also submitted that petitioners have nexus with A1 and the same was confirmed by the tower location and other means collected by the police officials.

5. At this juncture, on instructions, learned counsel for the petitioners submitted that the petitioners are ready and willing to surrender the mobile phones and other electronic gadgets available with them, if it is required, during the investigation process.

6. Heard both sides and perused the materials available on record.



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7. Considering the submissions made by the learned counsel appearing on either side and taking note of the nature of the allegations and since the custodial interrogation of the petitioners are not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. 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 on which the order copy made ready, before the learned **Judicial Magistrate No.I, Chengalpattu** on condition that the petitioners 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petitions for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;



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[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent Police everyday at 10.30 a.m., until further orders;

[d] the petitioners shall not abscond either during investigation or trial and they shall make themselves available for interrogation by a Police Officer as and when required;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass



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appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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)13 SCC 283];

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

04-07-2025

To

1. The Judicial Magistrate No.I, Chengalpattu.
2. The Inspector of Police,
CBCID, Metro Wing, Egmore, Chennai-8.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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2025
AND CRL OP NO.
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