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CrI.O.P.No.18018 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.06.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.18018 of 2025

C.Jai Ganesh

... Petitioner/Accused

Vs

State of Tamil Nadu,
Rep by The Inspector of Police, L & O,
T-1 Tambaram Police Station,
Tambaram, Chennai – 600 045.
Chengalpattu District.
(Crime No.Not known of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in
the event of his arrest by the respondent police concerned in Crime No.Not
known of 2025 on the file of the respondent police.

For petitioner : Mr.M.K.Sathish

For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 351(3), 352, 353(1), 356(1) r/w 356(2) of BNS, 2023 in Crime No. Not known of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had posted a video clipping in his facebook account with a note in tamil that the atrocities of DMK ward Secretaries and spouse of councilors. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an I.T. Wing member of AIADMK party. He shared Polimer news channel clippings to others to expose the ruling party ward members, councillors atrocities committed on the garbage collector and others, which has been now projected as though the petitioner has been sending false messages. Hence, prayed for granting anticipatory bail to the petitioner.



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4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that in this case initially petition enquiry was conducted and thereafter a case in Crime No.353 of 2025 for offence under Sections 192, 353(1)(b) and 362 of BNS registered. The petitioner has been sending false messages tarnishing the image of the ruling political party. Further, during enquiry it was found that petitioner had only gave such news to Polimer channel and Polimer news channel also confirmed the same. Hence, strongly opposed for granting anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

6. Considering the submissions made on either side and the nature of allegation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Tambaram** 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;



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[c] the petitioner shall report before the respondent police every day at 10.30 a.m., for a period of three weeks and thereafter as and when required for further interrogation;

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by the respondent as and when required;

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

[g] the petitioner shall not abscond either during investigation or trial;

[h] 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];



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M.NIRMAL KUMAR, J.

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[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

30.06.2025

rsi

To:

1. The Inspector of Police, L & O,
T-1 Tambaram Police Station,
Tambaram, Chennai – 600 045.
Chengalpattu District.

2.The Judicial Magistrate No.I,
Tambaram.

3.The Public Prosecutor,
High Court Madras.

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