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Crl.O.P.Nos.26800 & 26801



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.Nos.26800 & 26801 of 2025
and Crl.M.P.Nos.21900 & 21901 of 2025

A.Shobana ... Petitioner in Crl.O.P.No.26800 of 2025

Ashok Raja ... Petitioner in Crl.O.P.No.26801 of 2025

-vs-

State Rep by,
The Inspector of Police, (L & O),
V-6, Kolathur Police Station,
Chennai – 600 082.
(Crime No.248 of 2025)

... Respondent in both OP's

Common Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of her / his arrest in Crime No.248 of 2025 on the file of the respondent police.

In both OP's

For Petitioner : Mr.P.Manikannan

For Respondent : Ms.J.R.Archana,
Government Advocate (Crl. Side)

For Intervenor : Mr.J.Elanchezhien



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COMMON ORDER

The petitioners, who were apprehends arrest for the alleged offence punishable under Sections 77, 79 of BNSS, 66E and 67 of Information and Technology Act, 2000, in Crime No.248 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The allegation against these petitioners are that, due to previous enmity, they sent abusive messages about the defacto complainant in Whatsapp, facebook and Instagram to the relatives and friends of the defacto complainant. Hence the complaint has been lodged.

3. The learned counsel appearing for petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that these petitioners are not using the phone numbers stated in the complaint and already as per the interim order passed by this Court the petitioners appeared before the respondent police and handed over the phone belongs to them for the purpose of investigation and it was also seized by the respondent police. Hence, he prays



4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the earlier complaint was registered for the very same activities done prior to the month of April 2025 and bail was also granted and the defacto complainant also moved the cancellation of bail petition, since the petitioners continuously involved in very same activities. He further submitted that this is the second complaint, if anticipatory bail is granted the petitioners they will indulge in similar activities. Hence, she opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of this case, the petitioners already appeared before the respondent police and also the phone was seized by the respondent police, and this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Vth Metropolitan***



Magistrate Court, Egmore, Chennai, on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty 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 and on further condition that:

(a) 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 petitioners shall report before the respondent police daily at 10.30 a.m., for the period of three weeks and thereafter as and when requires for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the



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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) AIR SCW 5560]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

(g) consequently the connected criminal miscellaneous petitions are ordered.

19.11.2025

rna

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Vth Metropolitan Magistrate Court, Egmore, Chennai.



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2.The Inspector of Police,
Steel Plant Police Station,
Salem District.

3.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.

rna

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