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CrI.O.P.No.2901



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **27.10.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

CrI.O.P.No.29011 of 2025

David

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
Cyber Crime Police Station,
CCD-1, South Zone, Chennai.
(Crime No.28 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,
pleaded to enlarge the petitioner on bail in Crime No.28 of 2025 pending on the
file of the respondent police.

For Petitioner : Mr.I.Siddiq for
M/s.Dass and Viswa Associates
For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on
05.10.2025, for the alleged offence punishable under Sections 192, 196, 296(b)
and 353(2) of BNS and Section 67 of Information Technology Act, in Crime
No.28 of 2025 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that he made certain defamatory statements against a sitting Judge of the Hon'ble High Court in a video posted on social media. It is alleged that the statement contained derogatory remarks against the sitting Judge. Based on this, the police registered an FIR and arrested the petitioner. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner had made certain comments on the instagram post with the other accused and that it was not intentional or intended to undermine the authority of the Court, but were made within the legal limits while expressing his views on the order passed. He further submitted that the petitioner has no previous case against him. He further submitted that the petitioner is in judicial custody from 05.10.2025. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and upon instructions, reported that the petitioner is ranked as A9. He further submitted that an FIR has been registered regarding the defamatory and false informations spread by various persons through on-line portals and you tube channels. He further submitted that considering the seriousness of the allegations, the petitioner was arrested after verification of the material evidence, and the investigation is still in progress. Hence, he opposed for grant of bail to the petitioner.



5. Heard both sides and perused the materials available on record including the First Information Report.

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6. On perusing the FIR and other materials, it is revealed that the petitioner had made defamatory statements and false comments in online portals. Taking into account that the petitioner has no previous cases pending against him, considering the period of incarceration and further the custodial interrogation of the petitioner is not required for investigating the case, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned XI Metropolitan Magistrate, Saidapet, Chennai*, and on further conditions 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during



investigation or trial;

[d] the petitioner shall not tamper with the evidence or

WEB COPY witness 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 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];

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

27.10.2025

drl

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.



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To

1.The XI Metropolitan Magistrate,
Saidapet, Chennai.

2.The Inspector of Police,
Cyber Crime Police Station,
CCD-1, South Zone, Chennai.

3.The Superintendent,
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

drl

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