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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/03/2025

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.3793 of 2025

Kannan

...Petitioner/ Accused

Vs.

The State of Tamil Nadu
rep by The Inspector of Police
Cyber Crime Police Station,
TPK Road, Madurai City,
Madurai District.
(Crime No.10 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.Palanivel Rajan Senior Counsel
for Mr.H Velava Dhas

For Respondent : Mr.M.Sakthi Kumar
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.10 of 2025 on the file of the respondent police.

ORDER :- The Court made the following order :-

<https://www.mhc.tn.gov.in/judis>



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The petitioner/ Accused, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 192, 196(1) (a), 352 and 353 (1) (a) (b) (2) of BNS in Crime No.10 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein uploaded the song in the Twitter called "Arubadaiveedu Namadhu Uendru Solli Messai Murukku" which song disturbed the communal harmony between two religions and uploaded it with the intention to provoke the people of other religion and breach public peace. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the respondent has foisted a false case in connection with crime no.10 of 2025 on the file of the respondent police and the petitioner has not committed any offence as alleged in the FIR and this petitioner has been falsely implicated in this case, therefore seeks to enlarge the petitioner on bail. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner has posted a tweet by inducing the other religion to create clash between two religions and he posted a song in the tweet and therefore, the police registered the case against the petitioner in crime no.10 of 2025 and the investigation is at initial



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stage and he further submitted that the offences are grave in nature, therefore, strongly opposed to grant anticipatory bail to the petitioner.

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

6. Considering rival submissions on either sides, the nature of offences and the allegations levelled in the FIR against the petitioner, though the petitioner has one previous case, in that case bail was granted and also considering all other factors and facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

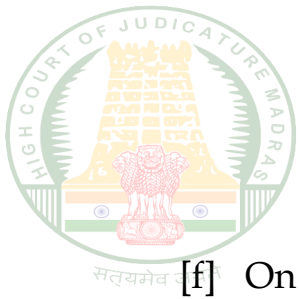
[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.1, Madurai, Madurai District and on further conditions that:

[b] the petitioner should report before the respondent police, T4 Maduravoyal Police Station on every Saturday at 10.30 am for a period of four weeks and as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

sd/-
07/03/2025

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/03/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE,
CYBER CRIME POLICE STATION,
TPK ROAD,MADURAI CITY,
MADURAI DISTRICT.
- 4 THE INSPECTOR OF POLICE, T4 MADURAVOYAL POLICE STATION,
CHENNAI.



5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3793 of 2025
Date :07/03/2025

NBF/ SKN / SAR/ (21/03/2025) 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023