



CRL OP(MD). No.4177 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4177 of 2025

S.Anantha Padmanaban

... Petitioner/Rank
Not Known

Vs

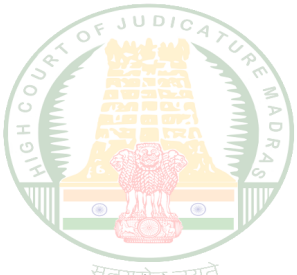
The State of Tamil nadu
rep by the Inspector of Police,
Cyber Crime Police Station,
Madurai City.
Crime No.17 of 2025

... Respondent/Complainant

For Petitioner : Mr.Niranjan S.Kumar

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-
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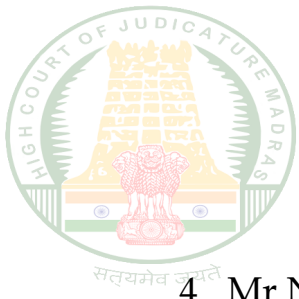
For Anticipatory Bail in Crime No.17 of 2025 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 04.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner/Rank not known apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 192, 196(1)(a), 353(1)(b), 353(1)(c) and 353(2) of Bharatiya Nyaya Sanhita (BNS), 2023 read with Section 66D of IT Act, 2008, in Crime No.17 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 04.02.2025, in the live streaming of the procession held at the Thirupparankundram foothills by a facebook user on his account for the Thirupparankundram issue, the petitioner, who was seeing the live, had used words and expressions that were detrimental to religious harmony. Hence, this case.



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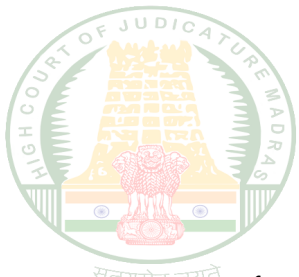
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4. Mr.Niranjan S.Kumar, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case. He however submits that the petitioner did not post the same with an intention to disturb religious harmony and now, he removed the same from his facebook account. He undertakes that the petitioner will not post such words and expressions in future. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl.Side) appearing for the respondent-Police, submits that the petitioner posted words and expressions, which were detrimental to religious harmony. He further submits that if pre-arrest bail is granted to the petitioner, he may commit similar type of offence. Hence, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner has removed the post from his facebook account. The learned counsel for the petitioner undertakes that the petitioner will not post such type of



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post in
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future. Considering the same and also considering the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner, and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.I, Madurai, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.I, Madurai;

(ii) 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 Judicial Magistrate I, Madurai, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate I, Madurai;

(iv) As per the undertaking given by the learned counsel for the petitioner, the

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



(v) The petitioner shall appear and sign before the respondent-Police weekly once i.e., on every Sunday at 10.30 a.m., until further orders;

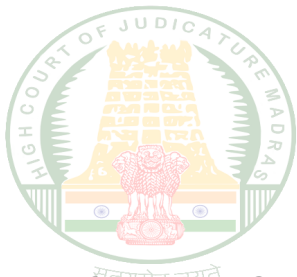
(vi) The petitioner shall make himself available for interrogation by a police officer as and when required;

(vii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(viii) The petitioner shall not leave India without previous permission of the Court;

(ix) The petitioner shall not, directly or indirectly, cause any threat to the defacto-complainant and witnesses and shall not tamper the evidence; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Madurai, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon-ble



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Supreme Court in *P.K. Shaji vs. State of Kerala* [(2005) 13 SCC 283].
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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

sd/-
06/03/2025

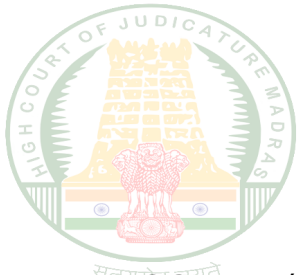
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/03/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Rmk

TO

1. The Judicial Magistrate No.I, Madurai.
2. Do through the Chief Judicial Magistrate,
Madurai District.
3. The Inspector of Police,
Cyber Crime Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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+1 CC to M/s.NIRANJAN S.KUMAR, Advocate (SR-2557[I] dated 07/03/2025)
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ORDER IN
CRL OP(MD) No.4177 of 2025

Date : 06/03/2025

VN (25/03/2025) 7P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.