



CrI.O.P(MD).No.9204 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 17.06.2025

Pronounced on : 04.07.2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CrI.O.P(MD).No.9204 of 2025

1.Mohamed Rabeek
S/o.Syedhussain

2.Rasool Mydeen
S/o.Sahubar Sathik

3.Soda Ismayil @ Mohamed Ismail
S/o.Mohamed Khan

4.Azarudeen Palayam @ Mohamed Azarudeen
S/o.Sulthan Syed Ibrahim

...Petitioners/ Accused Nos.1 to 4

Vs.

The State of Tamilnadu rep. by
The Sub Inspector of Police,
Uthamapalayam Police Station,
Theni District.
(Crime No.166 of 2025)

...Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to grant bail to the petitioners in the event of their arrest or surrender in Crime No.166 of 2025 on the file of the respondent police.



Crl.O.P(MD).No.9204 of 2025

WEB COPY For Petitioners : Mr.K.Navaneetha Raja

For Respondent : Mr.S.Prakash
Government Advocate (Crl.side)

ORDER

The petitioners seek anticipatory bail upon the apprehension of arrest at the hands of the respondent police for the alleged offences U/s.196(1)(a) and 353(2) of BNS, 2023 in Crime No.166 of 2025 on the file of the respondent police.

2. The case of the prosecution is that the petitioners have posted messages through social media against the Hindu Organizations, Hindu Organizations leaders and also posted RSS and Bajrandal organizations as terrorist organizations.

3. The learned counsel for the petitioners has submitted that the petitioners have not posted any messages through social media, they are daily wagers, and they have not created Facebook post as alleged by the prosecution. They have simply liked few posts, which is nothing but few news contents. The alleged news was posted through ALX Ragam, who was granted bail by the concerned Judicial Magistrate Court. The petitioners are arrayed as Accused Nos.1 to 4, and they only shared 'like' and there is no overtact against the petitioners. The petitioners have not committed any offence as alleged by the prosecution and they are ready to abide by any condition imposed by this Court.



Crl.O.P(MD).No.9204 of 2025

WEB COPY

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioners shared messages and also shared as 'like' through social media in order to provoke religious unrest. Hence, he prays dismissal of this petition.

5. Heard and perused the available records. It is seen from the records that the complaint was given by the defacto complainant, who is the joint organizer of Bajrang Dal, Theni District. The alleged occurrence took place from 07.05.2025 to 10.05.2025, and the FIR was registered on 10.05.2025. The allegation is that the petitioners have posted messages through social media to provoke religious unrest. The petitioners say that they have shared only the messages. A mere shared 'like' could not be taken as intention to hurt religious sentiments. The complaint was not lodged by any of the public or social activists, it is lodged by a political organization. The petitioners are not said to be members of any other organization. The petitioners said that they are daily wagers. The message was posted by fifth accused ALX Ragam @ Muthukrishnan, and he was granted bail by the learned Judicial Magistrate, Uthamapalayam in Crl.M.P.No.586 of 2025, dated 19.05.2025. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with conditions.



Crl.O.P(MD).No.9204 of 2025

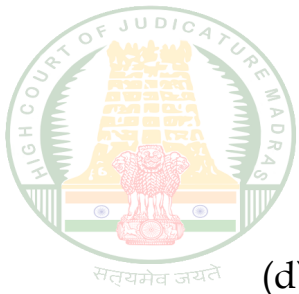
WEB COPY

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 days from the date on which the order copy made ready, before the learned Judicial Magistrate, Uthamapalayam, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each 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 Judicial Magistrate, Uthamapalayam, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Judicial Magistrate concerned may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

(b) The petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate, Uthamapalayam. If the petitioners change their residential address, they shall report the same to the learned Judicial Magistrate, Uthamapalayam;

(c) On release, the petitioners shall appear and sign before the respondent police daily twice at 09.00 a.m. and 6.00 p.m. until further orders;



Crl.O.P(MD).No.9204 of 2025

WEB COPY

(d) The petitioners shall not abscond either during investigation or trial and they shall cooperate for the investigation;

(e) The petitioners shall not tamper with evidence or witness either during investigation or trial;

(f) On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and and if there is any violation of condition, the Investigation Officer is within his discretion to approach the Court of the learned Judicial Magistrate, concerned for cancellation of bail as per the ruling of the Hon'ble Supreme Court reported in **P.K.Shaji/Vs/State of Kerala, (2005) AIR S.C.W.5560** and;

(g) if the accused/petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
04/07/2025

/ TRUE COPY /

/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Crl.O.P(MD).No.9204 of 2025

VSD जयदे
TO
WEB COPY

1 THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM.
THENI.

2
THE CHIEF JUDICIAL MAGISTRAE,
THENI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.

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

+1. CC to NAVANEETHA RAJA Advocate SR.No.7140 (I) DT.04/07/2025

ORDER
IN
CRL OP(MD) No.9204 of 2025
Date :04/07/2025

NM/09.07.2025/ 6P/6C

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