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CRL OP No. 539 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 539 of 2026

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Petitioner(s)

Vs

The State Rep, by Inspector of Police,
Cyber Crime Police Station,
Salem City.
(Crime No. 45/2025)

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of arrest a case in crime No.45 of 2025 on the file of the Respondent.

For Petitioner(s): Mr.Deepak Kumar C

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 299 and 302 of BNS, in Crime No.45 of 2025 on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner herein has made certain posts on social media viz., Facebook, with the intention of affecting public tranquility and also the interest of public order. Hence, a *suo motu* complaint has been registered by the respondent police.

3. The learned counsel for the petitioner submitted that the petitioner has not posted any new content and has only shared the content of one of the leaders. Further, he submitted that the petitioner has not committed any offence and even the statement posted on Facebook does not attract any offence. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail sought by the petitioner, reiterated the prosecution case and submitted that the petitioner has posted certain materials, which are affecting the public tranquility. She further submitted that the petitioner has no previous antecedents. However, she vehemently opposed the grant of anticipatory bail to the petitioner.

5. Considering the nature of the allegation, the fact that the petitioner has no previous case and the submission of the learned counsel for the petitioner



that the petitioner has posted only certain clippings of a political leader, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.III, Salem** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] **if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of copy of this order, this Order shall stand automatically cancelled;**

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] **the petitioner shall report before the respondent**



police daily at 10.30.a.m., for a period of three weeks and thereafter, as and when required for interrogation;

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[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

12-01-2026

Jd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

1. The Judicial Magistrate No.III, Salem

2. The Inspector of Police,
Cyber Crime Police Station,
Salem City.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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