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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 3531 of 2026

Nirabu

Petitioner

Vs

The State, Rep. By

The Inspector of Police

Puduchatram Police Station

Cuddalore District

Crime No. 06 of 2026.

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No. 6 of 2026 on the file of respondent police.

For Petitioner : Mr.T.Elumalai

For Respondent : Ms.J.R.Archana
Government Advocate, Criminal Side

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 352, 351(3), 353(1)(b) of BNS, r/w Section 67 of IT Act, in Crime No. 6 of 2026, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner is alleged to have sent threatening messages to individuals who were posting online messages against party leaders. Hence, a *suo motu* case has been registered.

3. The learned counsel for the petitioner submitted that the messages were posted in a group as instructions to party cadres, not intended to threaten anyone. The petitioner is a member of the same party. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submitted that the petitioner is having bad antecedent and several cases including under Section 307 of IPC. She further submitted that the petitioner is a history sheeter. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsels and perused the materials available on record.



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6. I have gone through the FIR and other connected materials. The content posted by the petitioner herein is that those who are talk against the interest of party leader, they would be handled severely. Apart from that there is no evidence of individual threats, therefore, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 District Munsif Cum **Judicial Magistrate, Portonovo**, on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty 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 petitioners fail to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a 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 am for a period of three weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves 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.

MSM

13.02.2026



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To

1. The Inspector of Police
Puduchatram Police Station
Cuddalore District
Crime No. 06 of 2026.

2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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