



WEB COPY



CrI.OP.No. 4011 & 4044 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2026

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

CRL OP Nos.4011 and 4044 of 2026

Leo Stalin Petitioner in CrI OP No.4011/2026

D.Bharath Petitioner in CrI OP No.4044/2026

Vs

The State rep. by

The Inspector of Police

S-8 Adambakkam Police Station,

Chennai.

(Crime No.377 of 2025)

... Respondent in both CrI OPs

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest pending investigation in Cr.No. 377 of 2025 on the file of the respondent police.

IN CRL OP No.4011 of 2026 :

For Petitioner : Mr.V.Chandrasekaran

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Criminal Side)

IN CRL OP No.4044 of 2026 :

For Petitioner : Mr.Arun Anbumani
for Mr.P.Rajkumar Pandian

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Criminal Side)



WEB COPY

Crl.OP.No. 4011 & 4044 of 2026



COMMON ORDER

The petitioner in Crl OP No.4011 of 2026, who was arrested and remanded to judicial custody on 31.01.2026 for the alleged offences under Section 194 BNSS and Sections 296(b), 351(2), 115(2), 131, 308(3), 109, 353(1)(b) r.w. 61(2)(b) of BNS, 2023, in Crime No.377 of 2025 on the file of the respondent police, seeks bail. The petitioner in Crl OP No.4044 of 2026, who was arrested and remanded to judicial custody on 27.01.2026 for the alleged offences under Section 194 BNSS and Sections 296(b), 351(2), 308(3), 131, 115(2), 109, 353(1)(b) r.w. 61(2)(b) of BNS, 2023, in Crime No.377 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that defacto complainant is a producer of a film called “Red and follow”. A1- Mr.Savukku Shankar, who is a You tuber, let out a video in which he had made certain comments regarding the actors who had acted in the said film, which had garnered several criticisms among the public. According to the defacto complainant, he was severely affected by these videos both mentally and financially and tried to settle the issue with accused persons, but the accused persons alleged to have demanded a sum of Rs.10,00,000/- from the defato complainant in



order to delete the videos. Therefore, the defacto complainant brought Rs.1,00,000/- to the accused at the office, however, A1 along with other accused snatched away the said amount from the defacto complainant and also threatened with dire consequences.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been in custody since 31.01.2026 and 27.01.2026 respectively. He further submitted that there is no previous case against the petitioners. Hence, he submitted that this is a fit case in which the petitioners may be enlarged on bail.

4. The learned Government Advocate would strongly oppose the bail application and contended that A1 to A4 falsely propagated that the defacto complainant has produced the film out of the illegal proceeds derived from the sale of the narcotic. When the defacto complainant questioned such an act with A1 to A4 and requested to take down the video, A1 to A4 refused to do so and demanded a sum of Rs.10,00,000/-. It is the specific submission of the learned Government Advocate that these petitioners are habitual offenders and there are eight previous cases against Leo Stalin. At this juncture, it is relevant to refer that in FIR these accused names are not been



referred to. However, learned Government Advocate would rely upon 164 CrPC [183(5) BNSS] statement given by the defacto complainant before the learned Magistrate on 07.01.2026. However, while looking at FIR, it was registered on 02.07.2025 and this 183(5) BNSS statement was recorded after a period of six months. Therefore, this Court, at this juncture has its own apprehension to rely upon the subsequent statement.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. There are no specific averments in the FIR and the first accused had already been enlarged on bail. Even in the previous occasion, the Government Advocate sought time only because of the pendency of the cancellation of the bail application before the Hon'ble Division Bench and now the Division Bench reserved for orders and while looking into incarceration of Leo Stalin in CRL OP No.4011 of 2026, he is under judicial custody since 31.01.2026, and Bharath in CRL OP No.4044 of 2026, is under judicial custody since 27.01.2026. It is also relevant to refer that in respect of eight previous cases, according to the petitioner counsel, in five cases remand order was rejected. Therefore, taking note of the role played by



the petitioners and also on the ground that the first accused was already enlarged on interim bail, and that those accused are not named in the FIR, this Court is of the satisfaction that the petitioners have got case to enlarge them on bail.

7. Accordingly, the petitioners are ordered to be released on bail on each of them executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Alandur**, and subject to the following conditions:

[a] 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;

[b] the petitioner shall report before the respondent police at 10.30 AM and 05.30 PM for a period of four weeks and thereafter once in morning at 10.30 AM for another two weeks, and as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;



[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

mtl

03.03.2026



Crl.OP.No. 4011 & 4044 of 2022

WEB COPY

To

1. Judicial Magistrate No.II, Alandur.
2. The Inspector of Police,
S-8 Adambakkam Police Station,
Chennai.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Superintendent, Central Prison, Puzhal – II, Chennai.
5. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.OP.No. 4011 & 4044 of 2026

C.KUMARAPPAN

mtl

Crl.O.P.No. 4011 & 4044 of 2026

03.03.2026