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Crl.O.P.No.6017 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.6017 of 2026

Paramasivam

... Petitioner

Vs.

State rep by
The Inspector of Police,
Madukkarai Police Station,
Coimbatore District.
(Crime No. 37 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.37 of 2026 on the file of the respondent police.

For Petitioner : Mr.K.Myilsamy

For Respondent : Mr. P. Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 353(1)(b), 353(1)(c), 353(2) of BNS, 2023 in Crime No.37 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the defacto complainant, belonging to the Kurumba Gounder community is the hereditary trustee of Arulmigu Dharamalingeswarar Temple at Madukkarai, Coimbatore. The petitioner, an advocate by profession, allegedly circulated a WhatsApp message making derogatory remarks against the Gounder community and abused him with filthy language and also threatened the defacto complainant with dire consequences. Hence, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that the entire issue is only in respect of trusteeship of Arulmigu Dharamalingeswarar Temple at Madukkarai, Coimbatore. He further submitted that as per the order of by this Court, the petitioner has been advised that C.K.Kannan is the hereditary trusteeship of the temple. Enraged by the assistance given by the petitioner, the defacto complainant has lodged the present complaint against him. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioner had spread rumours in respect of community which have been viewed seriously. Hence, he opposed to grant anticipatory



bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

6. From the submissions made by the learned Government Advocate (Crl.Side), it is seen that the petitioner had spread animosity against particular community, which has to be viewed seriously. However, considering the fact that the FIR is dated 17.12.2025 and that the investigation has been completed at this length of time, this Court is of the view that the custodial interrogation of the petitioner is not necessary. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned District Munsif cum Judicial Magistrate Court at Madukkarai, Coimbatore District**, on condition that **the petitioner 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 conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) 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



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Crl.O.P.No.6017 c



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 identify proofs to ensure their identity;

(c) The petitioner shall report before the Concerned Judicial Magistrate daily at 10.30 a.m. for a period of one week and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

09.03.2026

DRL



To

1. The District Munsif cum Judicial Magistrate Court,
Madukkarai, Coimbatore District.

2. The Inspector of Police,
Madukkarai Police Station,
Coimbatore District.

3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

DRL

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