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Crl.O.P.No.6108 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.6108 of 2026

V.Anbalagan

... Petitioner

Vs.

The State rep by
The Inspector of Police,
Cyber Crime Police Station,
North Zone, Tondiarpet,
Chennai – 600 021.
(Crime No.36 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.36 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Balaji

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

ORDER

The petitioner apprehends arrest for the alleged offence under Section 353(1) of BNS, in Crime No.36 of 2025 on the file of the respondent police seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner made statements on a social media platform which are likely to cause public mischief, and thereby committed the offence of making, publishing, or circulating false statements.

3. The learned counsel for the petitioner would submit that the petitioner has been charged under Section 353(1) of the BNS and was issued a summons on 03.03.2026, pursuant to which he appeared before the respondent police on 04.03.2026. The learned counsel would further submit that the petitioner had inadvertently posted certain content on his “X” (formerly Twitter) platform, and upon realizing his mistake, he immediately tendered an apology on the very same platform. It is also submitted that the petitioner undertakes not to indulge in any such acts in future.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent police would strongly oppose the grant of anticipatory bail and contend that despite receipt of summons on 03.03.2026, the petitioner did not properly cooperate with the investigation, and if anticipatory bail is granted, there is every likelihood that he may misuse the same and fail to cooperate with the investigation. Hence, he opposed the petition.



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5. On a consideration of the factual matrix, it is seen that the occurrence is stated to have taken place in May 2025 and that the FIR was registered in the month of July 2025. The summons came to be issued only on 03.03.2026. On receipt of the summons, the petitioner, apprehending arrest, has filed the present application.

6. The learned counsel for the petitioner reiterated that immediately after posting the alleged defamatory content, the petitioner had issued an apology on the very same platform and has expressed remorse. Considering the said undertaking given by the petitioner and taking note of the fact that the occurrence pertains to May 2025, this Court is of the view that custodial interrogation of the petitioner is not necessary at this stage.

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 XI Metropolitan Magistrate, Saidapet, Chennai**, 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:

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(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 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 respondent Police, everyday at 10.30 a.m., for a period of two weeks, 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.

17.03.2026

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To

- 1.The XI Metropolitan Magistrate, Saidapet, Chennai.
- 2.The Inspector of Police,
Cyber Crime Police Station,
North Zone, Tondiarpet,
Chennai – 600 021.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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