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CRL OP No. 7683 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7683 of 2026

M.Ganesh
S/o.R.Mohan,
Old No.2B, New No.223,
S.R.Nagar, Salamedu
(via) Varahi Amman Temple,
Villupuram-605 602.

..Petitioner(s)

Vs

Inspector of Police
Cyber Crime Police Station,
North Zone, No.809/ 263,
Thiruvottiyur High Road,
Sanjeevarayanpet,
Old Washermenpet,
Chennai-600 021.
(Crime No. not known of 2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 to pass an order to release the petitioner in event of arrest by the respondent in Crime No. not known of 2026 (On the file of the Inspector of Police, Cyber Crime Police Station, North Zone, No.809/263, Thiruvottiyur High Road, Sanjeevarayanpet, Old Washermenpet, Chennai-600 021) and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render Justice.

For Petitioner(s): Mr.M.S.Ashok Kumar

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



ORDER

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The petitioner apprehends arrest for the alleged offence under Sections 353(1), 353(2), 353(3) of BNS, 2023 in Crime No. Not known of 2026 on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that he had posted certain defamatory statement in the you-tube. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the entire allegations pertain only to statements made by the petitioner on YouTube, which are political in nature and cannot be construed as defamatory. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. 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 alleged occurrence took place on 08.08.2025 and the FIR came to be registered on 14.01.2026. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

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

6. Taking into consideration the fact and circumstances of the case that the alleged occurrence took place on 08.08.2025 and the FIR came to be registered on 14.01.2026 and at this length of time, the custodial interrogation



of the petitioner is not required, this Court is inclined to enlarge the petitioner on anticipatory bail with certain conditions.

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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 XV Metropolitan Magistrate, George Town, 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:

(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 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.

26-03-2026

DRL

To

1. The XV Metropolitan Magistrate, George Town,
Chennai.

2. The Inspector of Police
Cyber Crime Police Station,
North Zone, No.809/ 263,
Thiruvottiyur High Road,
Sanjeevarayanpet,
Old Washermenpet,
Chennai-600 021.

3. The Public Prosecutor, High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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