



CRL OP(MD). No.893 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 20/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Suresh Kumar

... Petitioner

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
AWPS-Colachel,
Kanyakumari District.
Crime No.45/2025.

... Respondent/Complainant

For Petitioner : Mr.V.Kathirvelu
Senior Counsel
for Mr.K.Prabhu

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-58B.For Bail in Crime No.45/2025 on the file
of the respondent police

ORDER : The Court made the following order :-

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WEB COPY The petitioner, who was arrested and remanded to judicial custody on 03.01.2026 for the offences punishable under Sections 11(1), 12, 13(c), 14(1) of POCSO Act, and Sections 67, 67B(b) of IT Act, in Crime No.45 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant gave a complaint before the Cyber Crime police station alleging that one of his facebook friends has posted regarding Thiruparankundram Deepam issue and the defacto complainant replied for the same. In the meanwhile, the petitioner replied to the above said post by posting the defacto complainant's daughter's picture in an abusive manner. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the



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petitioner is in judicial custody from 03.01.2026.

Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has no previous cases. However, he opposed for grant of bail to the petitioner.

5. This Court is shocked to see the language posted by the petitioner; not only the petitioner, but in social media, the language used by the people is atrocious, filthy. Normally nobody would dare to speak such words. With pain, this Court is recording the menace of the social media. However, considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of

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the learned Sessions Judge, Special Court for Exclusive trial of Cases under POCSO Act cases, Kanyakumari at Nagercoil, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] **the petitioner is directed to file an affidavit, stating that he will not use such words in social media in future, at the time of furnishing sureties. On such filing of the affidavit, the learned Magistrate shall accept the sureties furnished by the petitioner.**

[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 investigation;



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

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

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

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

20.01.2026

PJL

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TO

1. The Sessions Judge,
Special Court for Exclusive trial of Cases under
POCSO Act cases, Kanyakumari at Nagercoil.
2. Do-Through The Chief Judicial Magistrate,
Kanyakumari District.
3. The Superintendent, District Jail, Nagercoil.
4. The Inspector of Police,
AWPS-Colachel,
Kanyakumari District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J

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ORDER
IN
CRL OP (MD) No.893 of 2026

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