



CRL OP(MD). No.8155 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 27/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.8155 of 2026

C. Essakkimuthu

... Petitioner/ Accused No.6

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Manur Police Station,
Tirunelveli City.

Crime No. 349 of 2026.

... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Crime No. 349 of 2026 on the file of the respondent police.

For Petitioner : I.Pinaygash,
Advocate.

For Respondent : Mr.M.Karunanithi,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-



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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 192, 352 and 353(2) of BNS (Corresponding Sections 153, 504 and 505 of IPC) in Crime No.349 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 11.10.2025, while checking Instagram, the respondent police found that the accused persons posted the message with derogatory words which would create hatred among the people and cause fear in the minds of the people. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioner is an innocent and has been falsely implicated in this case and he has no way connected in the above said incident. He would further submit that the petitioner is not in a possession of the alleged mobile phone or Instagram account and he has not posted any such content as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that the accused persons posted the message with derogatory words which would create hatred among the people and cause fear in the minds of the people and the petitioner has 3 previous cases and the investigation is still pending. Hence, he opposes to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, and even according to the prosecution, the main accused is A1, and the petitioner herein was arrayed as A6, and he allegedly accompanied the main accused and though the petitioner has some previous cases, those cases are not a similar kind of offences and in those cases, he was released on bail and anticipatory bail, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute a bond



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for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.V, Tirunelveli**, and on further conditions that:

[b] the petitioner shall report before the respondent police, every Saturday at 10.30 a.m. for a period of four weeks, and thereafter as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in



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P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

27.04.2026

dss

To

- 1.The Judicial Magistrate No.V, Tirunelveli.
- 2.The Inspector of Police,
Manur Police Station,
Tirunelveli City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

DSS

ORDER
IN
CRL OP(MD) No.8155 of 2026

Date : 27/04/2026