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Crl.O.P.No.18167 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.18167 of 2026

R.Pradeep Kumar

... Petitioner

Vs.

The State Rep by
The Inspector of Police,
Cyber Crime Wing (CCW),
The State Cyber Crime Investigation Centre (SCCIC),
Chennai.
Crime No.47/2026

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.47 of 2026 on the file of the respondent Police.

For Petitioner : Mr.C.A.Anburaja

For Respondent : Mr.Arun Anbumani
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 61(2), 306, 316(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023; Sections 43, 66, 66B, 66C and 66D of the Information Technology (Amendment) Act, 2008; Sections 51, 63(a) and 65 of the Copyright Act, 1957 and Section 6-A of



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the Cinematograph Act, 1952 in Crime No.47 of 2026, on the file of the respondent police seeks anticipatory bail.

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2. The case of the prosecution is that the petitioners, along with the other accused, illegally released a movie even before its official theatrical release by merging the leaked portions into a full-length film and uploading the same on websites such as Tamilrockers and other online platforms. Hence, the case.

3. The learned counsel for the petitioner would submit that the First Information Report came to be registered in connection with the illegal release of the film *Jananayagan*. He would further submit that the petitioner has been arrayed as an accused merely on the allegation that he had viewed the film, without any material to substantiate the same, and that too at a later stage of the investigation. It is his further contention that, when the respondent police arrested A10, the petitioner stood as an attesting witness to the arrest, which would clearly demonstrate that, at that point of time, even according to the investigating agency, the petitioner was not treated as an accused. The learned counsel would further submit that the principal allegations are against A1 to A5 and that A1, who was the editor of the film, has subsequently been relieved from the charges.



3.1. The learned counsel for the petitioner would further submit that the investigation has now been completed and the final report has already been filed. Therefore, the question of custodial interrogation of the petitioner does not arise. Apart from that, by placing reliance upon the judgment of the Hon'ble Supreme Court in *Arnesh Kumar Vs. State of Bihar*, reported in (2014) 8 SCC 273, he would contend that the respondent police ought to have complied with the mandate laid down by the Hon'ble Supreme Court by issuing a notice under Section 35(3) of the BNSS before effecting the arrest. However, in the present case, no such notice was issued to the petitioner and the respondent police are attempting to arrest him. He would further submit that the principal co-accused have already been enlarged on bail. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the said contention was stoutly opposed by the learned Government Advocate (Crl.Side) and would submit that A8 to A21 are the kingpins of the entire operation and have been remanded to judicial custody. He would further submit that the respondent police have filed only a preliminary charge sheet and that, unless the petitioner is taken into custody, it would not be possible to trace and recover the relevant digital gadgets. According to the investigation, the petitioner is one of the principal accused. Hence, he prayed for dismissal of the anticipatory bail petition.

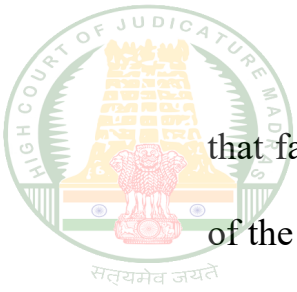


5. I have given my anxious consideration to the submissions made on either side.

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6. Before delving into the merits of the matter, it is appropriate to record the factual position. Admittedly, some of the co-accused, namely A2 to A5, who are stated to be the principal accused, have already been enlarged on statutory bail. Today, this Court has also granted bail to certain other co-accused in Crl.O.P.Nos.17250 and 17788 of 2026. It is also an admitted fact that the final report has already been filed. Though the learned Government Advocate (Crl.Side) would contend that only a preliminary charge sheet has been filed, the fact remains that a final report has been laid before the jurisdictional Court.

7. On a consideration of the factual matrix, it is seen that the petitioner had cooperated with the investigation, which is evident from the fact that he stood as an attesting witness at the time of the arrest of A10. Though the learned Government Advocate (Crl.Side) would oppose the grant of anticipatory bail by contending that the illegal release of the movie had attracted a large number of viewers, resulting in substantial loss to the stakeholders, which is undoubtedly a matter of serious concern, the question

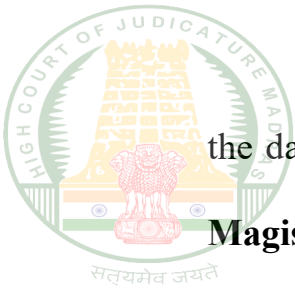


that falls for consideration is whether, at this stage, the custodial interrogation of the petitioner is really necessary.

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8. In the above factual background, particularly in view of the fact that some of the principal accused have already been enlarged on statutory bail (though such grant of statutory bail is under challenge), that certain other co-accused have been granted bail today in Crl.O.P.Nos.17250 and 17788 of 2026, and that the petitioner was initially not treated as an accused and had even assisted the investigation by standing as an attesting witness at the time of the arrest of A10, the contention of the learned Government Advocate (Crl.Side) regarding the likelihood of abscondence or tampering with witnesses does not merit acceptance. Further, the occurrence is stated to have taken place on 11.04.2026 and we are now in the month of July 2026. The initial allegation against the petitioner is only that he had viewed the illegally released movie, and except the same, no serious overt act has been attributed to him. In such circumstances, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

9. 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



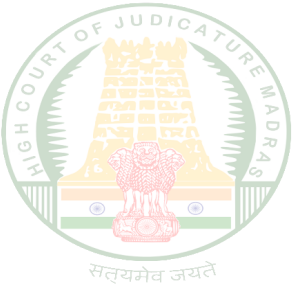
the date on which the order copy is made ready, before the **XI Metropolitan Magistrate Court, Chennai** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with two sureties each, for a like sum to the satisfaction of the learned Magistrate 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 15 days and thereafter as and when required before the respondent police 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]***;



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

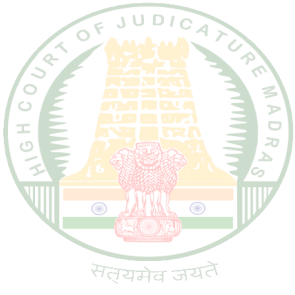
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To

- 1.The XI Metropolitan Magistrate Court, Chennai.
- 2.The Inspector of Police,
Cyber Crime Wing (CCW),
The State Cyber Crime Investigation Centre (SCCIC),
Chennai.
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

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