



Crl.OP.No.18891 of 2023

G.CHANDRASEKHARAN, J.

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This petition is filed to enlarge the petitioner on bail in connection with Crime No.173 of 2023 on the file of the respondent.

2.It is the submission of learned counsel for the petitioner that petitioner is falsely implicated as accused in Cr.No.173 of 2023 for the offences under Section 354-C, 204 I.P.C and 66 (E), 67 (A) of Information Technology Act, 2000 r/w 34 of I.P.C. In fact, there was lease agreement between petitioner and third accused on 06.06.2022 for running JJ Residency, Puducherry. Only third accused Iruthayaraj was alone running the JJ Residency. Petitioner was not aware of any offence alleged in the First Information Report and he was not responsible for that. He is in judicial custody from 14.07.2023. Thus, he seeks bail.

3.In response, the learned Additional Public Prosecutor (Puducherry) submitted that the defacto-complainant gave a complaint alleging that he was staying in room No.204 of JJ Residency on 08.07.2023. He found a hidden camera was placed in a plug point. He examined it and found that there was a wire connection given to the hidden camera. He informed this to



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the Manager Anand and room boy Abiraham. They visited the room and denied having placed a hidden camera and tried to remove. However, before they attempt to remove the hidden camera, defacto-complainant removed the camera. Both of them had in a hurry deleted video footages in the computer and also removed the wires. Thus, this complaint was given.

4.The learned Additional Public Prosecutor (Puducherry) further submitted that petitioner had given confessional statement admitting the hiding of the hidden camera in the room. His cellphone and computer gadgets were seized and sent for analysis by Central Forensic Department, Hyderabad. It is his further submission that the license produced by the petitioner shows that petitioner got his license renewed on 05.07.2023.

5.Considered the rival submissions and perused the records.

6.From the facts obtained from the First Information Report allegation and submission of learned counsel appearing for parties, petitioner is said to have involved with other accused in placing the hidden camera for capturing the intimate moments of occupants of the room. Though, he claimed that on



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the date of occurrence he was not running the JJ Residency, it was run by third accused, the lease deed shows that there was no mention about JJ Residency at all. There is no description of property given in the lease deed. It is just said that he is leasing his guest house. Therefore, this lease deed cannot be related to the JJ Residency. Even otherwise, it is an unregistered lease deed and it can be created at any time. In the nature of the allegation made against this petitioner and that the analysis report of the electronic gadgets like cellphone of the petitioner and other accused and computer gadgets have not been received and investigation is still pending, this Court is of the view that petitioner cannot be released on bail.

7. Accordingly, this Criminal Original Petition is dismissed.

18.08.2023

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