

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Anticipatory Bail Application No.1710 OF 2024

Mr Ponpandian Chandrasekaran,
Age-34, Occupation: Service
Residing at 201, Bldg. No.E33, Sector No.1,
Shanti Nagar, Mira Road (E),
Thane District,
Maharashtra- 401 107. ... Applicant
v/s.

State of Maharashtra
(at the instance of Vikhroli Police Station)
Vide C.R. No.263 of 2024 ... Respondent.

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Mr Sushrut Jadhwar, for the Applicant.
Ms Rajeshree Newton, APP, for Respondent State.
PI Laxman Kamble attached to Vikhroli Police Station is present.

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Coram : R.N. Laddha, J.
Date : 26 June 2024.

P.C. :

Heard Mr Sushrut Jadhwar, the learned Counsel for the applicant
and Ms Rajeshree Newton, the learned APP representing the
respondent/State.

2. This is an application for pre-arrest bail filed by the applicant,
apprehending arrest in CR No.263 of 2024, registered with Vikhroli
Police Station, Mumbai, for the offences punishable under Sections
354(c), 354(d), 506, 509 and 500 of the Indian Penal Code and

Section 67-A of the Information Technology Act.

3. Mr Sushrut Jadhwar, the learned Counsel for the applicant, contends that a false and fabricated FIR has been lodged against the applicant. The informant and the applicant have known each other since 2012. The applicant paid the tuition fees for the informant's daughter; however, when the applicant demanded re-payment, the informant retaliated by filing a baseless FIR. No criminal antecedents attributed to the applicant, and nothing is to be recovered. The informant herself sent her obscene photographs to her relatives.

4. On the other hand, Ms Rajeshree Newton, the learned APP, submits that the applicant sent explicit messages and indecent photographs of the informant to her family members. The laptop and the mobile phone used by the applicant in the commission of the offence have yet to be recovered, necessitating custodial interrogation of the applicant.

5. Upon perusing the records, *prima facie*, it appears that in 2023, an offensive comment was posted on the informant's Instagram account. The applicant informed the informant that her photographs and videos were uploaded on a pornographic website, and to identify the culprit; the applicant asked the informant to connect her mobile phone to his laptop and they would file a complaint against the person responsible for the comment. On 09.06.2023, the applicant assessed the informant's Facebook and Instagram accounts via her mobile

phone and then deleted the access. In October 2023, the informant discovered that the Facebook and Instagram verification codes were sent to the applicant's phone number. In February 2024, the accused shared obscene photos from the informant's Facebook and Instagram accounts with the informant's nephews. The ongoing investigation aims to verify these allegations. The mobile phone and the laptop have not yet been recovered. The offence is serious and the custodial interrogation of the applicant would be necessary. In view of the above, this Court is not inclined to exercise its discretion in favour of the applicant. Resultantly, the application stands rejected.

[R.N. Laddha, J.]