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Crl.O.P.No.28355 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.28355 of 2024

Dhanush Venkat

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
AWPS West Police Station,
Coimbatore- 641 002.
(Crime No.28 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS Act, pleaded to enlarge the petitioner on bail, in connection with the Crime No.28 of 2024, pending investigation on the file of Puthur Police Station, Cuddalore District.

For Petitioner : M/s.S.Padma

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 26.09.2024, seeking bail in Crime No.28 of 2024 registered for the offence under Sections 77 of BNS and 66 E of IT Act.



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2. The case of the prosecution is that, as per details given by xxxx, the accused and she were friends. During such time, there were private video calls, later they got spilt up and accused had sent the private video material to the relative of defacto complainant and also threatened that he will upload the same in the social media. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has committed the offence without understanding the consequences. He also submitted that the petitioner is in custody from 26.09.2024 and the phone belonging to the petitioner has also been recovered. He further submitted that major part of the investigation is over. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police would submit that petitioner had recorded obscene private videos of the defacto complainant during their conversation. He further submit that petitioner had circulated the same to the relative of the defacto complainant and also threatened her. Hence, he opposed for grant of bail to the petitioner.



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5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record including the statement recorded under Section 183 (5) of BNSS.

6. Taking into consideration the above facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, out of which, one surety must be father or mother of the petitioner, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Additional Mahila Court, Coimbatore**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioner shall stay at Chennai and report before the Mylapore Police station daily evening at 6.30.p.m., until further orders;

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

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

[e] 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 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]*;

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

13.11.2024

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To

1. The Judicial Magistrate,
Additional Mahila Court, Coimbatore.
2. The Inspector of Police,
AWPS West Police Station,
Coimbatore- 641 002.
3. The Inspector of Police,
Mylapore Police Station,
Chennai.
4. The Superintendent,
The Central Prison,
Coimbatore.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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