



CRL OP(MD). No.18666 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18666 of 2024

Vishal

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu Rep,
By the Inspector of Police, Cyber Crime,
Tirunelveli City,
Tirunelveli District.
Crime No.13/2024.

... Respondent/Complainant

For Petitioner : Mr.R.Balakrishnan,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.13/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody

on 28.07.2024 for the offences punishable under Sections 354C, 354D and 509 IPC and
<https://www.hmc.tn.gov.in/judis>



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Section 67A of the Information Technology (Amendment) Act, 2008 in crime No. 13 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner is said to have uploaded some of the obscene pictures of the victim on the internet. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. The offence in this case is serious in nature. The petitioner is said to have developed a relationship with the victim, who cannot hear or speak and the petitioner is said to have even uploaded some of the obscene pictures on the internet, in spite thereof, it can be seen that not even 164 statement has so far been recorded, the investigation is not yet completed, the petitioner is arrested on 28/7/2024 and 90 days as has already expired. Only considering the same, I am inclined to enlarge the petitioner on bail.

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond 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.I, Tirunelveli.

(i)the sureties shall affix their photographs and left thumb impression in the



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surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall appear before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].

(vi)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29/10/2024

/ TRUE COPY /

29/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO
1 THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI.



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2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI.

3 THE SUPERINTENDENT,
PALAYAMKOTTAI CENTRAL JAIL, TIRUNELVELI.

4 THE INSPECTOR OF POLICE, CYBER CRIME,
TIRUNELVELI CITY, TIRUNELVELI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.BALAKRISHNAN, Advocate (SR-13384[I] dated 29/10/2024)

ORDER IN
CRL OP(MD) No.18666 of 2024
Date :29/10/2024

SA/SAR. /29.10.2024/4P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.