



CRL OP(MD). No.21515 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21515 of 2024

Ramesh

... Petitioner/Sole Accused

Vs

The State of Tamilnadu Rep.,
By, the Inspector of Police
All Women Police Station,
Sankarankovil, Tenkasi District
(Crime No. 33 of 2024).

... Respondent/Complainant

For Petitioner : Mr. Jegadeesha Pandian.V.M., Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 33 of 2024 on the file of the respondent police.



CRL OP(MD). No.21515 of 2024

ORDER : The Court made the following order :-

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The petitioner/sole accused, who was arrested and remanded to judicial custody on 24.11.2024 for the offences under Sections 75(1)(iii) of BNS (hereinafter referred to as new penal code) r/w Section 4 of TNPHW Act and Section 67 of Information Technology Act in Crime No.33 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the relative of the petitioner. The defacto complainant was staying at Chennai and doing her education. The petitioner attempted to get in touch with the defacto complainant over phone on 03.11.2024. The defacto complainant was not happy in the manner in which the petitioner was attempting to get in touch with her and hence she switched of the mobile phone. The next day, on 04.11.2024, when she switched on the mobile phone, she found that she has received some pornographic contents from the mobile phone of the petitioner. The same resulted in the lodging of the complaint against the petitioner.

3. Heard the learned Counsel appearing on either side.



CRL OP(MD). No.21515 of 2024

WEB COPY

4. Taking into consideration the facts and circumstances of the case and considering the age of the petitioner and also the manner, in which, this incident had taken place and also taking note of the fact that now the incriminating materials have been seized and the petitioner has already suffered incarceration from 24.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5. Accordingly, the criminal original petition is ordered 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 out of which, one surety shall be a blood relative, each for a like sum to the satisfaction of the learned Judicial Magistrate, Sankarankoil, Tenkasi District, 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.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.



CRL OP(MD). No.21515 of 2024

WEB COPY

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

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS 2023.

sd/-
09/12/2024

/ TRUE COPY /

09/12/2024
Sub-Assistant Registrar (WRIT)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1. THE JUDICIAL MAGISTRATE,
SANKARANKOIL, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TENKASI



CRL OP(MD). No.21515 of 2024

3. THE OFFICER IN CHARGE,
SUB JAIL, SANKARANKOIL, TENKASI DISTRICT.

4. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SANKARANKOVIL, TENKASI

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

ORDER
IN
CRL OP(MD) No.21515 of 2024
Date :09/12/2024

RK/ (09/12/2024) 5P / 6C

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