



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.425 OF 2025

Syed Akram Syed Musa

Vs.

State of Maharashtra, through Police Station Officer, Arni,
District Yavatmal and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. N. Ali, Counsel for the applicant.

Mr. Amit Madiwale, APP for the non-applicant No.1/State.

Ms. Varsha Warade, appointed Counsel for the non-applicant No.2/victim.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 17/07/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.314/2025 registered with Police Station Arni, District Yavatmal for the offences punishable under Sections 75 and 78 of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the applicant, who submitted that the crime is registered on the basis of report lodged by the victim girl on an allegation that the present applicant, who is working as a Journalist, used to call her at various types, including the midnight and send obscene messages as well as obscene videos and also follow her. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard learned Counsel for the applicant, who submitted that as far as the WhatsApp chat is concerned, there is nothing which is objectionable forwarded by the present applicant. On the contrary, it shows that there was a regular communication between the present applicant and the victim. Even victim was informing him about her movements. As far as the other allegation is concerned that he has defamed her is also not substantiated. The custodial interrogation of the present applicant is not required. In view of that, he be released on anticipatory bail.

4. Learned APP and learned appointed Counsel for the non-applicant No. 2 - victim strongly opposed for the same on the ground that the present applicant by misusing his position, pressurized her and also defamed her and therefore, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers as well as the WhatsApp chat, which are placed on record by learned Counsel for the applicant. Nothing objectionable is found in the WhatsApp chat. On the contrary, the communication shows that as the present applicant has published the news of the victim, she has expressed her gratitude towards it, which shows that there was communication between both of them. As far as the obscene videos are concerned, nothing on record to shows that the present applicant has

forwarded the obscene videos. Considering the investigation carried out by the investigating agency and considering the nature of the allegation levelled against the present applicant, his custodial interrogation is not required. In view of that, the application for grant of anticipatory bail deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest, the applicant **Syed Akram Syed Musa** shall be released on anticipatory bail, in connection with Crime No.314/2025 registered with Police Station Arni, District Yavatmal for the offences punishable under Sections 75 and 78 of the Bharatiya Nyaya Sanhita, 2023, on executing PR bond of Rs.25,000/- with one solvent surety of the like amount.
- (iii) The applicant shall attend the concerned Police Station once in a week on Monday between 10.00 to 1.00 p.m. and shall cooperate with the investigating agency.
- (iv) The applicant shall not enter in the jurisdiction of Arni Police Station till further orders.
- (v) The applicant shall attend the proceeding before the Special Court without seeking any exemption unless there are exceptional circumstances.

(vi) The applicant not induce, threat or promise any witnesses who are acquainted with the facts of the case.

(vii) The applicant shall produced his mobile phone before the Investigating Officer and the said period shall be considered as his custody for the purpose of Section 23(2) of the Bharatiya Sakshya Adhiniyam, 2023.

6. The fees of the appointed Counsel be quantified as per rules.

(URMILA JOSHI-PHALKE, J.)