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Crl.O.P.No.3464 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2025

CORAM

THE HON'BLE Mr. JUSTICE SUNDER MOHAN

Crl.O.P.No.3464 of 2025

S. Mohammed Thoufik

...Petitioner/Accused

Vs.

The Inspector of Police – CCD - 1
Tambaram City Police Station
Tambaram
(Cr.No.1 of 2025)

...Respondent/Complainant

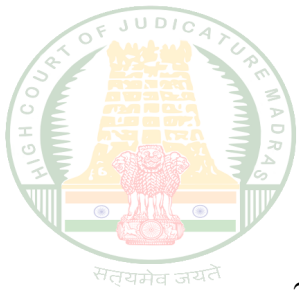
Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in the above Crime No.1 of 2025, pending on the file of the respondent police.

For Petitioner : Mr. Vishnu Varadhan

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 75(1), 351(4) of BNS, 2023 and Sections 66C, 66E and 67 of Information Technology Act, 2000, in Crime No.1 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. It is the case of the prosecution that the petitioner and the *de facto* complainant were in love for the past four years. They studied together in an engineering college. During their relationship, they had taken certain intimate pictures which were stored in the mobile belonging to the petitioner. On 31.01.2025, the FIR was registered on the allegation that the pictures of the petitioner and the *de facto* complainant were published in the social media by certain person.

3. The learned counsel for the petitioner would submit that the allegations against the petitioner is false and that his mobile appears to have been hacked; that the petitioner has not published the pictures in the social media; and that the *de facto* complainant also had stated that she had no grievance against the petitioner and was willing to marry him. The learned counsel also filed an affidavit of the *de facto* complainant that the petitioner is innocent and she intends to marry him and in fact, had stated that she did not intend to pursue the complaint. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and on instructions, submitted



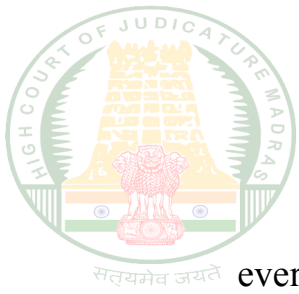
that the pictures were deleted from the social media and the investigation so far not revealed the involvement of the petitioner.

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5. Considering the aforesaid facts and the nature of allegations; the submissions made on either side; and that custody interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.I, Tambaram**, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition 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 Aadhaar card or Bank pass Book to ensure their identity;



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[b] the petitioner shall report before the respondent police everyday at 10.30 a.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* reported in [(2005)AIR SCW 5560];

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

27.02.2025

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Crl.O.P.No.3464 of 2022

To

1.The Judicial Magistrate No.I
Tambaram

2.The Inspector of Police – CCD - 1
Tambaram City Police Station
Tambaram

3.The Public Prosecutor
High Court of Madras



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SUNDER MOHAN,J.
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