



Crl.OP.No.5014 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 07.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5014 of 2025

R.Mullainathan

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Cyber crime PS,
Puducherry.

(Crime No.06/2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of his arrest in Crime No.06 of 2025 on the file of the respondent Police.

For Petitioner : M/s.Kathir MN

For Respondent : Mr.M.Ramachandramurthy
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 351, 308(2) of BNS & 67
of IT Act 2000 in Crime No.06 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that, the petitioner had morphed the picture of the defacto complainant and threatened that he would upload the obscene picture in social media, demanded a sum of Rs.1,00,000/-; that the defacto complainant, fearing humiliation, gave Rs.18,000/- to the petitioner and, thereafter unable to bear the harassment of the petitioner, lodged the complaint.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; that the petitioner is suffering from a serious disease and cannot move from the bed; that, though the petitioner is residing within the jurisdiction of Tamil Nadu, the respondent police, without informing the local police station, seized the Laptop and Mobile Phone illegally and that the petitioner now apprehends arrest because of the complaint lodged by him against the police official and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, however, denied the allegations against the police

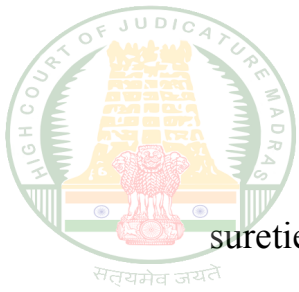


officials and submitted that the seizure of the Laptop and Mobile Phone was made in accordance with law, and those objects are required to prove the offence against the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. This Court is not inclined to consider whether the seizure made is illegal or not in this petition. It is for the petitioner to establish the same before the appropriate forum. However, considering the health condition of the petitioner, which is admitted by the respondent, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Chief Judicial Magistrate, Puducherry**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two



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sureties 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 as and when required for interrogation.

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

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

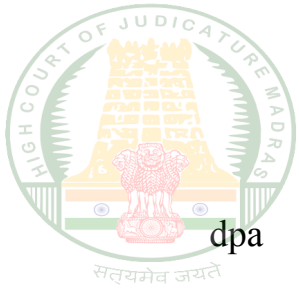
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the Petitioners released on bail by the learned Magistrate/Trial Court himself as laid 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 BNS.

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Index : Yes / No

Internet : Yes / No



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To

1.The Inspector of Police,
Cyber crime PS,
Puducherry.

2.The Chief Judicial Magistrate, Puducherry.

3.The Public Prosecutor,
Madras High Court,
Chennai.

SUNDER MOHAN, J.

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