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CrI.O.P.No.6198 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

CrI.O.P.No.6198 of 2025

P.Joe Britto

...Petitioner/Accused

Vs.

State rep by  
The Inspector of Police,  
H-5, Washermenpet Police Station,  
Chennai.

(Crime No.234 of 2025)

... Respondent

**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.234 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.Prasanth

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



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**ORDER**

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 29.01.2025, seeking bail in Crime No.234 of 2025 registered for the offence under Sections 75, 78, 238, 351(2) of BNS and Section 4 of TNPHW Act, 2002.

2.It is the case of the prosecution that the defacto complainant is the college student; that she was working in a private youtube channel; that the petitioner got acquainted with the defacto complainant; that when he was working in the same youtube channel, they became friends and messaged each other through whatsapp and that the petitioner is said to have sent certain inappropriate messages to the defacto complainant and similar such messages to other women in the same youtube channel. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false and the whatsapp messages were not intended to hurt the defacto complainant and in fact, he had apologised to the defacto complainant for his inappropriate messages which were misinterpreted as



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messages of sexual harassment and that in any case, considering the period of incarceration, he may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the whatsapp messages sent by the petitioner were inappropriate.

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

6.Considering the nature of allegations, period of incarceration and the fact that the case is borne out by records, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **XV Metropolitan Magistrate Court, George Town, Chennai**, and on further conditions that:

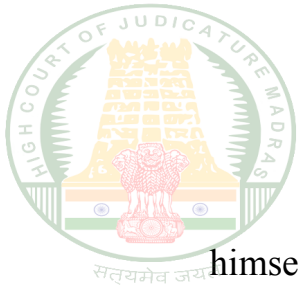
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

**[b] the petitioner shall report before the respondent Police, twice a week i.e., on every Monday and Thursday 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



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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 B.N.S.

05.03.2025

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Copy to:

1.The Inspector of Police,  
H-5, Washermenpet Police Station,  
Chennai.

2.The XV Metropolitan Magistrate Court, George Town, Chennai.

3.The Superintendent of Prison,  
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,  
High Court, Madras.



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**SUNDER MOHAN, J.**

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