



Crl.O.P.No.5838 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P.No.5838 of 2025

Vignesh

...Petitioner/Accused

Vs.

State rep by  
The Inspector of Police,  
E-3, Minjur Police Station,  
Tiruvallur District.

(Crime No.729 of 2024)

... Respondent

**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.729 of 2024 on the file of the respondent police.

For Petitioners : Mr.Dinesh Bose

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



Crl.O.P.No.5838 of 2025

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### **ORDER**

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 25.12.2024, seeking bail in Crime No.729 of 2024 registered for the offence under Sections 296(b), 77, 79, 351(3) of BNS, 2023 r/w Sections 66C, 66E, 67 and 67A of IT Act, 2000.

2.It is the case of the prosecution that the petitioner and the defacto complainant had consensual relationship; that during the said period, the petitioner and the victim had taken pictures and videos which were recorded in the mobile phone of the petitioner; that when the defacto complainant refused to continue her relationship with the petitioner, the petitioner threatened her of publishing the said pictures and videos in social media; that thereafter, the parents of the petitioner and the defacto complainant met and discussed about getting the petitioner married to the defacto complainant; that since it failed, the petitioner had uploaded the said pictures and videos in social media. Hence, the case.



Crl.O.P.No.5838 of 2025

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3.The learned counsel for the petitioner would submit that the allegations are false and in any case, the petitioner is in custody from 25.12.2024 and hence, he may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the instagram accounts, through which the photos and videos have been published, have been blocked and the mobile phone of the petitioner has also been seized and that investigation is still pending.

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 period of incarceration, the fact that the social media accounts of the petitioner have been blocked and his mobile phone and other gadgets have been recovered, this Court is of the view that further



Crl.O.P.No.5838 of 2025

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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:

7. Accordingly, the petitioner is ordered to be released on bail on their 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 **Judicial Magistrate No.2, Ponneri**, 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 everyday at 10.30 a.m., until further orders;

[c] if the petitioner is indulged in any other similar kind of offences in future, it is open to the State to file petition for cancellation of bail.



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Crl.O.P.No.5838 of 2025

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

[e] the petitioner shall not tamper with evidence or witness 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 B.N.S.

03.03.2025

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Crl.O.P.No.5838 of 2025

**SUNDER MOHAN, J.**

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Copy to:

- 1.The Inspector of Police,  
E-3, Minjur Police Station,  
Tiruvallur District.
- 2.The Judicial Magistrate No.2, Ponneri.
- 3.Sub Jail, Tiruvallur.
- 4.The Public Prosecutor,  
High Court, Madras.

**Crl.O.P.No.5838 of 2025**

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