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Crl. O.P. No.6067 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.6067 of 2025

Mujeeb Ali S/o. Shajahan

... Petitioner / Accused

Vs.

The Union Territory of Puducherry

represented by:

The Station House Officer,
Cyber Crime Police Station,
Puducherry.

(Crime No.1 of 2025).

... Respondent

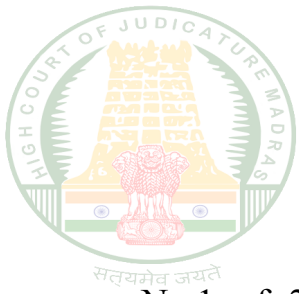
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.1 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.V.S. Senthilkumar

For Respondent : Mr. K.S. Mohan Doss,
Additional Public Prosecutor
[Puducherry]

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 20.01.2025, seeking bail in Crime



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No.1 of 2025 registered for the offences under Sections 351(3) and 79 of B.N.S.S., Section 67B of the Information Technology Act and Section 14 of the Protection of Children from Sexual Offence Act, 2012.

2. The case of the prosecution is that the petitioner befriended the victim, aged about 17 years, through instagram; that the victim girl, at the request of the petitioner, had sent her nude pictures to the petitioner; that thereafter, the petitioner had threatened the victim by stating that he would publish the said pictures in the social media and asked for sexual favours and thus, he committed the aforesaid offences.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that in any case, considering the period of incarceration, the fact that the petitioner's mobile phone has been seized and his instagram account has also been blocked, the further custody of the petitioner is not required for the purpose of investigation, prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the offences committed by the petitioner are serious and the mobile phone has been sent for examination



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and report is awaited; that the 164 Cr.P.C. statement of the victim is yet to be recorded and hence objected for grant of bail.

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. On perusal of FIR, it is seen that the petitioner had instigated the victim girl and made her to send nude pictures and thereafter, threatened her. Admittedly, the mobile phone of the petitioner has been seized. The petitioner is in judicial custody from 20.01.2025. Considering the nature of allegations against the petitioner and period of incarceration, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation and inclined to grant bail to the petitioner with certain conditions.

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 learned **Sessions Judge, Fast Track Court [under POCSO Act-2012], Puducherry** and on further conditions that:



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[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 stay at Puducherry and appear before the respondent Police every day at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[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 [(2005)AIR SCW 5560]***;



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

05.03.2025

mjs

To

1. The Sessions Judge, Fast Track Court [under POCSO Act-2012], Puducherry.
2. The Station House Officer, Cyber Crime Police Station, Puducherry.
- 3 The Superintendent of Police, Central Prison, Puducherry.
4. The Public Prosecutor, High Court of Madras.
5. The Public Prosecutor, Puducherry.



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SUNDER MOHAN., J.

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