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CRL O.P. No.7653 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.7653 of 2025

Sathish Kumar S/o. Chandran .. Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
J4 Kotturpuram Police Station,
Chennai District. ... Respondent
[Cr. No.85 of 2025]

PRAYER: - Criminal Original Petition filed under Section 483 of BNSS,
pleased to enlarge the petitioner on bail, in connection with the Crime
No.85 of 2025, pending investigation on the file of the respondent
Police.

For Petitioner : Mr.M. Sathish

For Respondent : Mr. Leonard Arul Joseph Selvam,
Government Advocate
[Criminal side]

ORDER



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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.02.2025, seeking bail in Crime No.85 of 2025 registered for the offences under Section 77 of B.N.S. read with Section 67 of the Information Technology (Amendment) Act, 2008.

2. The case of the prosecution is that the petitioner, who is working as a delivery boy, when came to defacto complainant's house for delivering an item, took video of the defacto complainant's mother, when she was taking bath.

3. The learned counsel for the petitioner would contend that the petitioner has nothing to do with the offences as alleged by the prosecution; and that considering the period of incarceration of the petitioner, prayed that the petitioner may be granted bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner,



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reiterated the prosecution case and on instructions submitted that, the mobile phone has been seized from the petitioner and he has no bad antecedents.

5. Considering the aforesaid facts, the nature of allegations against the petitioner, period of incarceration, the fact that the petitioner has no bad antecedents, mobile phone has been seized and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 **IX Metropolitan Magistrate, Saidapet, Chennai.**

[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



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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 [(2005)AIR SCW 5560]*;

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

17.03.2025

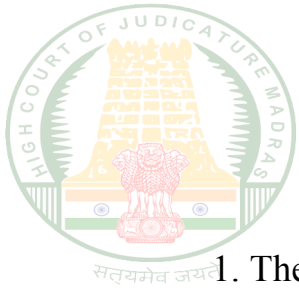
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SUNDER MOHAN., J.

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To

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1. The IX Metropolitan Magistrate, Saidapet, Chennai.
2. The Inspector of Police, J4 Kotturpuram Police Station, Chennai District.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

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