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Crl.O.P.No.8290 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.8290 of 2025

Sheik Abdulla

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Cyber Crime Police Station,
West Zone, Chennai.

(Crime No.20 of 2025)

... Respondent

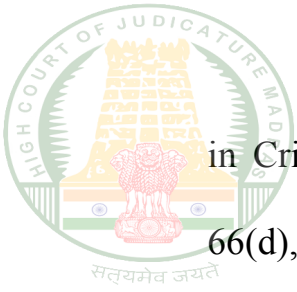
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.20 of 2025 pending investigation on the file of the respondent police.

For Petitioner : M/s.S.Nadhiya

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 25.02.2025, seeking bail



in Crime No.20 of 2025 registered for the offence under Sections 66(c), 66(d), 37A, 67 of IT (Amendment) Act, 2008.

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2.It is the case of the prosecution that the petitioner had created fake Instagram ID and making it appear that it was created by the defacto complainant and had sent obscene messages to the friends of the defacto complainant; that he had sent obscene messages to one of the defacto complainant's friend one Darshini and when it was questioned by the Darshini's father, it was found that the petitioner had used the fake instagram ID and sent the messages. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that the mobile phone has been recovered and the said messages and pictures have been deleted from the intragram account and that in any case, considering the period of incarceration, he may be released on bail.

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and submitted that investigation is still pending and the mobile phone has been sent for Forensic Laboratory.



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5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations against the petitioner, period of incarceration, the fact that the the pictures and the obscene messages have been deleted from the instagram account and the fake ID has been blocked, 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.

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 **IX Metropolitan Magistrate Court, Saidapet**, 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., for a period of one week and thereafter, once in a week i.e., on every Wednesday at 10.30 a.m., until further orders.

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

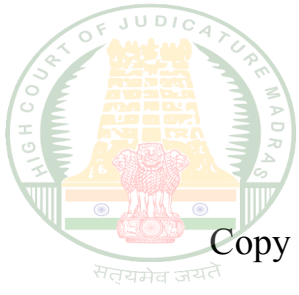
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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.

20.03.2025

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- 1.The Inspector of Police,
Cyber Crime Police Station,
West Zone, Chennai.
- 2.The IX Metropolitan Magistrate Court, Saidapet.
- 3.Central Prison – II, Puzhal.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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