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Crl.O.P. No.9326 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P. No.9326 of 2025

Vimal Raj

... Petitioner/ Accused No.3

Vs.

The State Rep. By,
The Inspector of Police,
Thirupattur Town Police Station,
Thirupattur, Thirupattur District.
(Crime No.43 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.43 of 2025, pending investigation on the file of the respondent.

For Petitioner : Mr. G. Vinodhkumar

For Respondent : M/s. J. R. Archana
Government Advocate (Crl. Side)



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ORDER

Petition seeking bail in respect of Crime No.43 of 2025 registered for the alleged offences punishable under Sections 308(2), 318(4), 351(2), 351(4) of BNS (384, 420, 506, 507 of IPC) and Section 67A of Information Technology Act, 2008, is on board for consideration.

2. The case of the prosecution is that the accused person/ A1 was appointed as a service maid by the defacto complainant to take care of his aged mother; that A1 colluded with the petitioner and other accused/ A2 had taken the obscene videos of the defacto complainant; that thereafter threatened the defacto complainant that they will post the obscene videos on social media; and that thereby demanded and extorted money to the tune of Rs.2,30,000/- from the defacto complainant. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, he has been falsely implicated in this case; that the petitioner is the car driver of A1 and he has not committed any offence as alleged by the prosecution; that the petitioner has been arrested and remanded to judicial custody on 02.03.2025; and that the petitioner is ready to abide by



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any stringent conditions that may be imposed by this Court and ready to co-operate for the investigation and prayed for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that there are totally 3 accused in this case and the petitioner herein arrayed as A3; and that the investigation is pending, hence opposed the grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side, the period of incarceration undergone by the petitioner 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 Judicial Magistrate No.I, Thirupattur** 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 report before the 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]***;



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[f] If the accused thereafter absconds, a fresh FIR can

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02.04.2025

stn

To

1. The Judicial Magistrate No.I,
Thirupattur.
2. The Inspector of Police,
Thirupattur Town Police Station,
Thirupattur, Thirupattur District.
(Crime No.43 of 2025)
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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