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Crl.O.P.No.11073 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.11073 of 2025

Rajesh
S/o. Murugan

....Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Cuddalore Old Town Police Station,
Cuddalore District
(Crime No.36 of 2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of his arrest **in Crime No.36 of 2025**, on the file of the
respondent police.

For Petitioner	: Mr. V. Manikandan
For Respondent	: Mr. S. Balaji Government Advocate (Crl. Side)



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 77 of BNS and 4 of Tamil Nadu Prohibition of Harassment of Women Act and 66E of IT Act, in Crime No.36 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the *de facto* complainant are neighbours; that the petitioner had kept his mobile phone in a video recording mode in the rest room of the *de facto* complainant; that the *de facto* complainant noticed the said fact and deleted the recording and handed over the mobile phone and lodged a complaint before the respondent police; that thereafter, the petitioner attempted to commit suicide by consuming acid, was admitted in the hospital and is now discharged.

3. The learned counsel appearing for the petitioner would submit that the allegations are false; that the petitioner had not committed any such



offence as alleged by the prosecution; that no video recording was found in the mobile phone, which was seized from the petitioner and in any case custodial interrogation of the petitioner is not required and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and confirmed that the mobile phone was seized and that the video recordings are found to be deleted.

5. Though the allegations against the petitioner if found to be true are serious in nature, considering the aforesaid facts, this Court is of the view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned**



Additional Mahila Court (Magistrate Level), Cuddalore, on condition

that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties each** for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 Chennai and report before the Inspector of police, Flower Bazaar Police Station, Chennai, everyday at 10:30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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



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[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

16.04.2025

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To

1. The Additional Mahila Court (Magistrate Level), Cuddalore
2. The Inspector of Police,
Cuddalore Old Town Police Station
Cuddalore District
3. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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