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CRL OP No. 11215 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11215 of 2025

1. S.M. Gopalakrishna
S/o Manjappa, No.34/5, Dereballu,
Mangalore Post, Ashoknagar(mr)
Dakshina kannada District, Karnataka -
575006

Petitioner(s)

Vs

1. State by, The Inspector of Police,
All Women Police Station
Meenambakkam Meenambakkam,
Chennai. (Crime No. 3 of 2025)

Respondent(s)

PRAYER: To enlarge the Petitioner on bail in the event of arrest in connection with Crime No.03 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.Antony Roche Kamal R

For Respondent(s): Public Prosecutor

**ORDER**

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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 296(b), 79 of BNS read with Section 4 of TNPHWA and Section 10 of Aircraft Act 1934 in Crime No.3 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner while travelling from Mangalore to Chennai in an Indigo Airline, the petitioner had taken inappropriate pictures of the cabin crew member, which was objected by the defacto complainant, due to which, the petitioner abused the defacto complainant in a filthy language and subsequently, those pictures were deleted from the petitioner's mobile phone. Hence, committed the aforesaid offence.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; the petitioner is innocent and in any case, the custodial interrogation of the petitioner is not required; and hence prays for grant of anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions, submitted that the inappropriate pictures taken by the petitioner through his mobile phone was deleted.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsel on either side, the fact that the inappropriate pictures said to have been taken by the petitioner was deleted from his mobile phone and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the



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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 **Judicial Magistrate, Additional Mahila Court, Alandur**, 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 report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

[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;

[e] On breach of any of the aforesaid conditions, the



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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 of B.N.S.

16-04-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.State by, The Inspector of Police,
All Women Police Station
Meenambakkam Meenambakkam,
Chennai. (Crime No. 3 of 2025)

2. The Judicial Magistrate, Additional Mahila Court,
Alandur.

3. The Public Prosecutor,
Madras High Court, Chennai.



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SUNDER MOHAN J.

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