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Crl.OP.No.11607 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.11607 of 2025

A.Vinoth Kumar ... Petitioner(s) /Accused

Vs.

State rep. by Inspector of Police,
Cyber Crime Police Station,
West Zone, Chennai.
Crime No.27 of 2025

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023, to enlarge the petitioner on bail in Crime No.27 of 2025 on the file of the Inspector of Police, Cyber Crime Police Station, West Zone, Chennai.

For petitioner(s) : Mr.D.Manojkumar

For Respondent(s) : 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 21.03.2025, seeking bail in Crime



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No.27 of 2025 registered for the offences under Sections 74, 78(1)(ii) and 79 of BNS, 2023, Sections 66C and 66E of IT Act, 2008 and Section 4 of TNPHW Act, 2002.

2. The case of the prosecution is that the petitioner created a fake Instagram account and uploaded the photograph of the defacto complainant along with her mobile number, making it appear as though she was seeking a bridegroom.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and the petitioner is in custody from 21.03.2025; and that in any case, further custody of the petitioner is not required and prayed for the grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed the grant of bail to the petitioner.



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5. Considering the aforesaid facts and circumstances, period of incarceration, the fact that the Instagram account has now been blocked, 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 him executing separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties (one surety must be a blood relative of the petitioner), each for a like sum to the satisfaction of the learned **XI Metropolitan Magistrate at Saidapet, Chennai**, 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., until further orders;

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



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[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.

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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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- To
1. Inspector of Police,
Cyber Crime Police Station,
West Zone, Chennai.
 2. The Public Prosecutor,
Madras High Court,
Chennai.
 3. XI Metropolitan Magistrate at Saidapet, Chennai.
 4. The Superintendent of Prison,
Central Prison, Chennai.



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SUNDER MOHAN, J.

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