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CRL O.P. No.13020 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.13020 of 2025

Mohammed Affan S/o. Mohammed Shamshad ... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
W-11 All Women Police Station,
Flower Bazaar Range,
Chennai-600 001.
[Cr. No.6 of 2024]

... Respondent

PRAYER: - Criminal Original Petition filed under Section 483 of BNSS,
pleased to enlarge the petitioner on bail, in connection with the Crime
No.6 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. S. Vedavalli

For Respondent : Mr. Leonard Arul Joseph Selvam,
Government Advocate
[Criminal side]

ORDER

This Criminal Original Petition has been filed by the



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petitioner/accused, who was arrested and remanded to judicial custody on 08.02.2025, seeking bail in Crime No.6 of 2024 registered for the offences under Section 12 of Protection of Children from Sexual Offence Act, 2012 and Section 67 of the Information Technology Act.

2. The case of the prosecution is that the victim and the petitioner were known to each other through social media and had a love affair; that the petitioner threatened the victim girl and her family members that he will disclose the conversation between them on the social media. Hence the case.

3. Learned counsel for the petitioner would contend that the allegations against the petitioner are false; that the petitioner is in judicial custody from 08.02.2025; that the social media account of the petitioner was closed and since the statement of the victim was recorded, further custody of the petitioner is not required and prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side), on instructions, while opposing the grant of bail to the petitioner, reiterated



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the prosecution case and on instructions, confirmed that the statement of the victim was recorded and the account of the petitioner was closed.

5. Considering the aforesaid facts, nature of allegations, submissions made by the learned counsels on either side, the fact that the petitioner's social media account was closed, the statement of the victim was recorded 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**, one of them should be a blood relative and another surety should be a local surety, each for a like sum to the satisfaction of the **Special Court for exclusive trial of cases under POCSO Act at Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



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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 shall appear 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]*;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.



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To

1. The Special Court for exclusive trial of cases under POCSO Act at Chennai.
2. The Inspector of Police, W-11 All Women Police Station, Flower Bazaar Range, Chennai-600 001.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

SUNDER MOHAN. J.,

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24.04.2025