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Crl.O.P.No.19393 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19393 of 2025

Jayasurya

... Petitioner/A2

Vs.

State Rep. By
The Inspector of Police,
Kilambakkam Police Station,
Chengalpattu District.
(Crime No.117 of 2025)

... Respondent

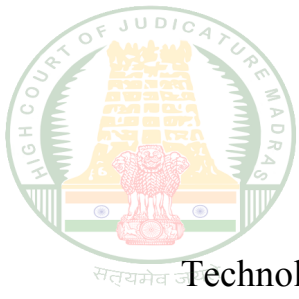
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.117 of 2025 on the file of the respondent police.

For Petitioner : Mr.V.Arul

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.06.2025, for the offence punishable under Sections 75(2), 77, 78(2), 79, 351(2) of BNS, 2023 and Section 67, 67-A of the Information



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Technology Act, 2008 in connection with Crime No.117 of 2025, registered
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2.The case of the prosecution is that the de-facto complainant and A1 in this case got acquainted through Instagram. A1 took the photographs of their intimacy without the knowledge of the de-facto complainant/victim and forwarded the same to the petitioner, who in turn, forwarded the photographs to other friends and the other friends contacted the de-facto complainant to demand money and asked for sexual favour. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offence. He further submitted that the petitioner is friend of A1. The other accused alone called the de-facto complainant and asked for sexual favour. He further submitted that the co-accused/A1 has been granted bail by this Court in Crl.O.P.No.18812 of 2025. Hence, he prayed for grant of bail to the petitioner.



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4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the de-facto complainant and A1 in this case got acquainted through Instagram. A1 took the photographs of their intimacy without the knowledge of the de-facto complainant/victim and forwarded the same to the petitioner, who in turn, forwarded the photographs to other friends and the other friends contacted the de-facto complainant to demand money and asked for sexual favour. He further submitted that all the electronic devices and mobile phone of the petitioner has been seized and it is confirmed that the photographs not shared in any social media. He further submitted that the co-accused/A1 has been granted bail by this Court in Crl.O.P.No.18812 of 2025. However, he strongly opposed for granting bail to the petitioner.

5.Heard the learned counsel appearing on both sides.

6.Considering the submissions made on either side and on perusal of the material, it is seen that the petitioner, who is the friend of A1, coming to know about the A1's close relationship with the de-facto complainant forwarded their intimacy photographs to other friends and the other friends



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contacted the de-facto complainant to demand money and asked for sexual favour. Further, the mobile phone of the petitioner has been seized. In view of the same, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned **Judicial Magistrate No.I, Tambaram** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of 30 days and thereafter as and when required for further interrogation;

[c] the petitioner shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[d] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall



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comply to the directions as may be given by the Court in this regard;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

08.07.2025

rsi

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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M.NIRMAL KUMAR, J.

rsi

To

1.The Judicial Magistrate No.I,
Tambaram.

2.The Inspector of Police,
Kilambakkam Police Station,
Chengalpattu District.

3.The Superintendent,
Central Prison, Puzhal,
Chennai.

4.The Public Prosecutor,
High Court of Madras.

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