



Crl.O.P.No.19552 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19552 of 2025

Dushyant Reddy

.. Petitioner

Vs.

State by
Inspector of Police
AWPS, Redhills
Tiruvallur District
Crime No.18 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 of the case in Crime No.18 of 2025 on the file of respondent police.

For Petitioner	:	Mr.A.Natarajan, Senior Counsel Mr.Krishna Srinivasan, Senior Counsel for M/s.A.Madhumathi
For Respondent	:	MrR.Vinoth Raja Government Advocate (Crl.side)
For Intervenor	:	Mr.V.Rajasekar for Mr.J.Sudhakar.



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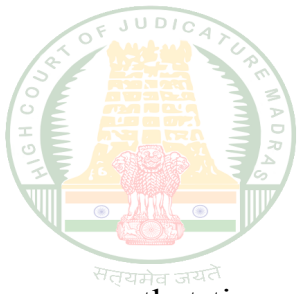
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ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.06.2025, for the offence punishable under Sections 69, 79, 126(3), 115(1), 351(3) of BNS, Act 2023 r/w Section 67, 67A of Information Technology Act, 2000 and under Section 4 of TNPWH Act, 2002 in Crime No.18 of 2025, on the file of respondent police, seeks bail.

2. The case of the prosecution is that the petitioner/A1, on repeated occasions, given intoxicating substances, drugged and had forced sexual relations with the defacto complainant. It is also alleged that the accused was in possession of private photographs of the defacto complainant and circulated the same in social media.

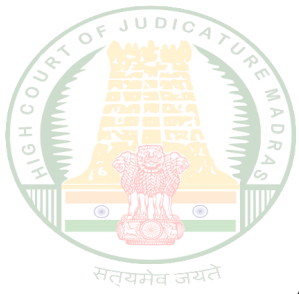
3. The learned Senior Counsel appearing for the petitioner submitted that the petitioner is an MBA graduate who got introduced to the defacto complainant through a dating app. Due to their mutual interests, their friendship developed and they grew close to each other's families over time. Subsequently, the de facto complainant attended a wedding in Hyderabad along with the petitioner and stayed together and later, stayed together in Thailand. He further submitted that the victim, a graduate of the National Law College, had secured admission for her post graduation at Gujarat National Law University. During



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that time, the petitioner, who was employed in Delhi, went to Gujarat and made arrangements for her stay. However, due to certain misunderstanding and the victim allegedly had animosity with the petitioner's mother, they called off their marriage plans. Whereas, now the victim lodged a complaint alleging that the petitioner had forced and raped her. Learned Senior Counsel for the petitioner also produced the WhatsApp chats, photographs and other supporting materials to prove the consensual relationship between the petitioner and the de facto complainant.

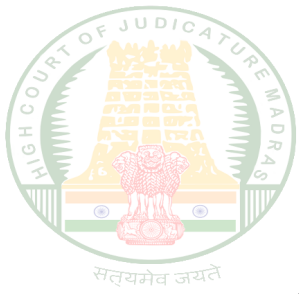
4. Learned counsel appearing for the intervener strongly objected to grant bail to the petitioner stating that the victim is a qualified Advocate hailing from a reputed family and is practising before this Court and her father is also an Advocate. He further submitted that the victim did not deny her relationship with the petitioner, however, the petitioner, under the false pretext of marriage, deceitfully lured her, took her to various places and committed rape. He also submitted that the petitioner had uploaded the photographs taken during their private moments in social media and circulated them among his friends and others. Although, such activities of the petitioner were brought to the knowledge of the respondent Police, no proper investigation was carried out.



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5. The learned counsel for the Intervenor has filed a petition along with a bunch of chats exchanged between the petitioner and the victim and also screenshots taken from the petitioner's mother which has been forwarded to the petitioner. The primary contention of the learned counsel for the Intervenor is that the petitioner's phone was broken and during that period, the defacto complainant had access to the phone. While accessing the phone, the defacto complainant came across the petitioner's call logs, browsing history and private messages. To her shock, it was discovered that the petitioner was in the habit of viewing pornographic content and also sharing private conversations to his friends and others derogating the defacto complainant. Thereafter, the de facto complainant chose to call off the marriage proposal. He further submitted that in this case the petitioner's mother, arrayed as A2, had allegedly conspired with A1 in criminally assaulting the defacto complainant. It is also come to the knowledge of the defacto complainant that this petitioner is also involved in similar cases in the State of Karnataka and if the petitioner is granted any relief, he would indulge in similar kind of offence. It is also contended that the petitioner floating his wealth and mislead the innocent victims under the pretext of marriage exploiting them physically with ulterior motive.



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6. Learned Government Advocate (Criminal Side) submitted that in this case, the defacto complainant has not produced any details regarding the circulation of her obscene photographs in WhatsApp groups or other social media platforms. He submits that defacto Complainant had now handed over her mobile phone to the Investigating agency. Even though the defacto complainant had alleged that the petitioner used yet another laptop, the same is not found. However, if any clue indicating any such electronic device was used by the petitioner, the same would be seized. In this case, in respect of A2, the mother of A1, summons have been issued for her appearance before the respondent police on 21-07-2025, subsequently, A2 had sought time for appearance citing health related reasons.

7. At this stage, the learned Senior Counsel appearing for the petitioner submitted that the petitioner's mother had already sought an interim anticipatory bail before the Sessions Court, Bangalore in CMP.No. 5312 of 2025 and the said court, by its order dated 16-07-2025, granted one-month time from 16-07-2025 directing the second accused to appear before the Respondent Police. He further relied upon the decision of this court in the case of ***R.Vigneshwar Vs Assistant Commissioner of Police and Others reported in 2024 SCC OnLine Mad 7717***, particularly paragraph No.6 thereof which is extracted hereunder:-

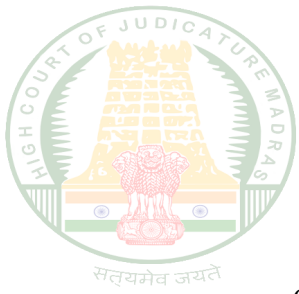


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“ 6. *It is clear from the complaint that the appellant and the defacto complainant had love affair and had physical relationship for a very long period. In such circumstances, the question as to whether the consent was obtained on a false promise or was given voluntarily has to be adjudicated in the trial. The learned Government Advocate and the learned counsel for third respondent are unable to point out as to how the further custody of the appellant would help the investigation, except for stating that videographs and photographs are in possession of the appellant. The learned Government Advocate, on instructions, would submit that all these videos and photographs have already been seized and have been sent for forensic examination*”.

8. At this juncture, the learned Government Advocate (Crl.side) for the respondent police submitted that already the petitioner's mobile phone has been sent for forensic examination. He further submitted that the victim's phone has also been received and sent for forensic examination. He also submits that upon instructions from the Investigation Officer, it is confirmed that there has been communication between the petitioner and the victim and also with the petitioner's mother. However, there has been no publication in the public domain. He further submitted that at present, all relevant electronic evidences have been collected and further investigation is in progress.



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9. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned Senior Counsel for the petitioner, learned Government Advocate (Crl.side) for respondent police, learned counsel for the Intervenor and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

10. 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.2, Ponneri** 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 daily at 10.00 a.m until further orders and co-operate with the investigation.

[c] The petitioner shall make himself available for interrogation by a Police Officer as and when required;



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

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

[f] 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]**;

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

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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.

To

1. The learned Judicial Magistrate No.2, Ponneri.
2. Inspector of Police
AWPS, Redhills
Tiruvallur District
3. The Superintendent,
Sub-Jail,Ponneri
4. The Public Prosecutor,
High Court, Madras.
5. The Central Prison,
Puzhal-II, Chennai.



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M.NIRMAL KUMAR, J.

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