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Crl.O.P.No.20943 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20943 of 2025

M.Ashok

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Jolarpet Police Station.

Crime No.191 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.191 of 2025 on the file of the respondent.

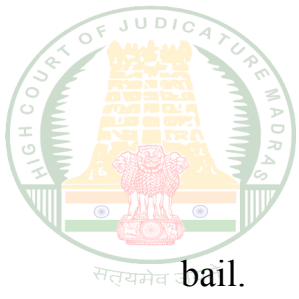
For Petitioner : Mr.Periaswamy I

For Respondent : Mr.R.Vinothraja

Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
08.07.2025, for the offence punishable under Section 69, 74, 76, 77, 115 (2),
351 (3) of BNS, 2023, r/w Section 66 E, 67, 67 A of Information Technology
Act, in Crime No.191 of 2025, registered on the file of the respondent, seeks



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bail.
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2.The case of the prosecution is that the defacto-complainant is working in a beauty parlour near Tirupathur bus stand. The petitioner used to go there and got acquaintance with the defacto-complainant and promised to marry her. Thereafter, they both entered into a physical relationship and he took nude photographs of the defacto-complainant and forwarded the same to the mobile phone of the defacto-complainant's son. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the defacto-complainant had pressurised the petitioner to marry her which he refused and hence false case has been foisted against him. The petitioner is in judicial custody from 08.07.2025 and hence, further custody of the petitioner is not required. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that petitioner and the victim are aged about more than 35 years. The petitioner is an un-married man and the defacto-complainant is a married woman having a son aged 17 years old. She is employed in a beauty parlour, the petitioner



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used to visit the beauty parlour and developed a relationship with her. Thereafter had a physical relationship. The same was captured in a mobile phone and forwarded to the defacto-complainant's son. Hence opposed for grant of bail to the petitioner. Mobile phone of the petitioner was seized.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submission made by the learned counsels on either side and the period of incarceration undergone by the petitioner, 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 I, Tirupathur**, 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



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copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent Police daily at 10.30.a.m., for a period of three weeks; thereafter as and when required for interrogation;

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

[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]**;



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[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 Judicial Magistrate I, Thirupathur.
- 2.The Inspector of Police,
Jolarpet Police Station.
- 3.The Central Prison,
Vellore.
- 4.The Public Prosecutor,
High Court of Madras.

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M.NIRMAL KUMAR, J.

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