



Crl.O.P.No.21629 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21629 of 2025

V.Siva

... Petitioner

Vs.

The State represented by
The Inspector of Police,
V-4 Rajamangalam Police Station,
Chennai.

Crime No.205 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.205 of 2025 on the file of the respondent.

For Petitioner : Mr.K.G.Raghunath
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
14.07.2025, for the offence punishable under Section 79, 75, 318 (4) and 316
(2) of BNS, 2023 and Section 67 of the Information Technology Act, 2000,
in Crime No.205 of 2025, registered on the file of the respondent, seeks bail.



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2.The case of the prosecution is that the defacto-complainant is running a coffee shop under the name and style of "The House of Breads at Anna Nagar, Chennai. In the year 2021, she got acquaintance with the petitioner and on the promise of marriage, the petitioner had received 110 sovereigns of gold jewels and a sum of Rs.11,00,000/- from the defacto-complainant for the propose of starting a restaurant under the name "Achi Nama Kitchen". It is alleged that the defacto-complainant received a phone call from unknown person alleging that the petitioner had already cheated her to the tune of Rs.1 crore. When the defacto-complainant questioned the same to the petitioner, he abused her in filthy language and threatened her by saying that he will upload the intimate photographs and videos in the social media. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the defacto-complainant is running a coffee shop. During the course of business they became friends. Thereafter, they agreed to have a Biriyani shop namely "Bai Kadai Biriyani" in Perambur which ended in loss. Later compromise was arrived and defacto-complainant agreed to receive Rs.20,00,000/-. The



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petitioner has paid Rs.5,00,000/- to the defacto-complainant. But she refused to receive the balance amount. Hence, he had not paid the balance amount. Even today, the petitioner is ready to pay Rs.15,00,000/- as compromise. 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 taking advantage of the defacto-complainant being a divorcee with sugar coated words, the petitioner had developed a relationship and also promised to marry her, taken off her 110 sovereigns of gold jewels and Rs.11,00,000/- in cash. He further submitted that 75 sovereigns of gold jewels which has been pledged by the petitioner in the gold finance have been seized. Further the petitioner had taken some intimate photographs with the defacto-complainant and threatened the defacto-complainant that if she demands for any jewel or money the same would be posted in the social media. The petitioner's mobile phone has been seized; some obscene photographs have been found and it has been sent to forensic department. Investigation is in progress. Hence, strongly opposed for grant of bail to the petitioner.



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5.At this juncture, the learned counsel for the petitioner voluntarily submitted that the petitioner, in order to show their bonafide, is ready and willing to deposit a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) to the credit of Crime No.205 of 2025 without prejudice to his defence.

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

7.Considering the facts and circumstances of the case, the submission that the petitioner is willing to deposit an amount of Rs.15,00,000/- to the credit of Crime No.205 of 2025, and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8.Accordingly, the petitioner is directed to deposit a sum of **Rs.15,00,000/- [Rupees Fifteen Lakhs Only]** to the credit of Crime No.205 of 2025 before the trial Court, **(the trial Court shall deposit the same in an interest bearing account)** on such deposit and production of proof, the



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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 **XIII Metropolitan Magistrate, Egmore**, 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 10.30 a.m. for a period of thirty days; 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



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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.



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To

- 1.XIII Metropolitan Magistrate,
Egmore.
- 2.The Inspector of Police,
V-4 Rajamangalam Police Station,
Chennai.
- 3.The Superintendent,
Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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