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Crl.OP.No.26290 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2025

CORAM

THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.26290 of 2025

Prakash

... Petitioner

Vs.

State rep by
The Inspector of Police,
Kilampakkam Police Station,
Tambaram,
Chennai.

... Respondent

(Cr.No.172 of 2025)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Crime No.172 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Sutharsan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner herein/A1, who was arrested on 19.08.2025 in connection with Crime No.172 of 2025 for the alleged offence under Sections 75(2), 77, 79, 78(2), 351(2) of BNS and Section 67, 67A of IT Act, 2008, seeks bail.

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2.The case of the prosecution is that the petitioner is alleged to have sent an obscene videos and intimate photos of the defacto complainant and his wife together via Whatsapp to his wife mobile phone. The petitioner has threatened the defacto complainant's wife by stating that he will post those videos on the internet. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that there are totally two accused in this case and the petitioner along with other accused had threatened the defacto complainant and his wife by stating that they will post the obscene videos of them in the social media and also demanded money from them. He further submitted that A2 was granted anticipatory bail by this Court in Crl.O.P.No.24556 of 2025 dated 12.09.2025. However, he vehemently opposed for grant of bail to the petitioner.



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5. Taking into consideration the facts and circumstances of this case and also taking note of the fact that the 2nd accused was granted anticipatory bail and also considering the period of incarceration suffered by the petitioner, 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 executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate – 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 on every Tuesday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for the interrogation;

[c] 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



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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]**;

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

24.09.2025

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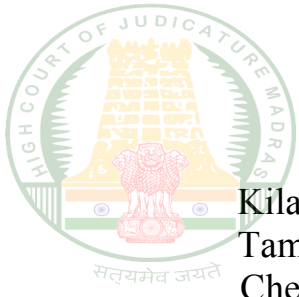
Note :

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, Tambaram.
- 2.The Inspector of Police,

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Kilampakkam Police Station,
Tambaram,
Chennai.

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3. The Puzhal Central Prison, Chennai.

4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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