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Crl.OP.No.27603 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM

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

Crl.O.P.No.27603 of 2025

K.M.Ashif

... Petitioner

Vs.

State Rep by

The Inspector of Police

Karumbukadai Police Station

Coimbatore City

Crime No.132 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
connection with Crime No.132 of 2025 on the file of respondent police.

For Petitioners : M/s.O.S.Thilak Pasumbadiyar

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

ORDER

The petitioner, arrested and remanded to judicial custody on
14.08.2025, for the offence punishable under Sections 77, 351(2) of BNS
Act, 2023 and Section 67 of Information Technology Act in Crime No.132
of 2025 registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that on 10.08.2025, at about 2 am., while the defacto complainant, who is a tenant under the petitioner, was taking her bath, the petitioner had captured various images of the defacto complainant. It was revealed subsequently to her through friend of the defacto complainant and when the same was questioned by her, the petitioner threatened her with dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He submits that the petitioner is suffering incarceration from 14.08.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that the mobile phone of the petitioner was seized and investigation in this case is pending.

5. Considering the facts and circumstances of the case, the allegation against the petitioner and the period of incarceration undergone by



the petitioner and already phone is also recovered, this Court is inclined to grant bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate No.VII, Coimbatore** 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 stay at Erode and report before the Inspector of Police, Erode Town Police Station, Erode daily at 10:30 a.m., until further orders.**

[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 have been imposed and the petitioner released on bail by the learned



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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.

08.10.2025

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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.



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To

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1. The Judicial Magistrate No.VII, Coimbatore
2. The Inspector of Police
Karumbukadai Police Station
Coimbatore City.
3. The Inspector of Police,
Erode Town Police Station, Erode
4. The Superintendent,
Central Prison, Coimbatore.
5. The Public Prosecutor
High Court, Madras.



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K.RAJASEKAR, J.

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