



WEB COPY



Crl.O.P.No.32590 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.32590 of 2024

Riyaz @ Riyaz Khan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
CCD-II Thiruvallur Police Station,
Thiruvallur District.

(Crime No.35 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.35 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Chandrasekar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.35 of 2024 registered for the offence punishable under Sections 74, 77, 351(3) of BNS r/w Section 4 of TN Prohibition of Harassment of Women Act and Section 67A of IT Act 2008 and



Crl.O.P.No.32590 of 2024

Section 3 of Indecent Representation of Women Act, 1986, is on board for consideration.

2. The incarceration of the petitioner being from 06.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that there was a relationship between the petitioner and the de facto complainant, however, due to some misunderstanding, a false complaint has been given against the petitioner. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the de facto complainant and the petitioner/accused are known to each other and there was an illicit affair between them and due to a family dispute, the de facto complainant severed her relationship with the petitioner, therefore, the petitioner, with an ulterior motive to outrage her modesty, uploaded the obscene videos of the de facto complainant with him in social media by tagging her relatives and threatened her. He further submits that the videos uploaded by the accused were deleted and the case is under investigation.



Crl.O.P.No.32590 of 2024

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Additional Mahila Court, Thiruvallur**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall stay at Chidambaram and report before the Inspector of Police, Chidambaram Town Police Station, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned



WEB COPY



Crl.O.P.No.32590 of 2024

A.D.JAGADISH CHANDIRA.,J.

ham

Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;

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

08.01.2025

ham

To

1. The Additional Mahila Court,
Thiruvallur.
2. The Inspector of Police,
CCD-II Thiruvallur Police Station,
Thiruvallur District.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Chidambaram Town Police Station,
Chidambaram.

Crl.O.P.No.32590 of 2024