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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2025

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.35919 of 2025

Bharath

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
H 5 New Washermenpet Police Station,
Chennai.
(Crime No. 1208 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in Crime No. 1208 of 2025 on the file of
the respondent police.

For Petitioner : M/s.S.Sarsumuthu

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
30.11.2025 for the alleged offence punishable under Sections 77 of B.N.S and
67 and 67A of Information Technology Act in Crime No. 1208 of 2025, on
the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the defacto complainant worked in the company owned by the petitioner's father and was acquainted with the petitioner. It is alleged that the petitioner misused her cellphone, morphed her photographs, and uploaded them on social media using a fake instagram ID. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner, aged 20 years, is an innocent person and has been falsely implicated in this case and he has not committed any offence as alleged in the FIR. He would further submit that the petitioner was arrested and is in judicial custody from 30.11.2025. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner misused the defacto complainant's cellphone, forwarded her photographs, morphed them into nude images, and uploaded the same on an online platform. He further submitted that the petitioner has no previous case pending against him. Hence, he opposed to grant bail to the petitioner.



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5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the rival submissions made on either side, the nature of the offence, there is no previous case pending against the petitioner and also considering the period of his incarceration, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] 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 XV Metropolitan Magistrate Court, George Town, and on further conditions that:-

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of 30 days.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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



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[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

30.12.2025

drl/dsn

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.The XV Metropolitan Magistrate Court,
George Town.

2.The Inspector of Police,
H 5 New Washermenpet Police Station,
Chennai.

3.The Superintendent,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

drl

Crl.O.P.No.35919 of 2025

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