



CRL OP(MD). No.2395 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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A.Balamurali

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Cyber Crime Police Station,
CCD-III District, Madurai
Crime No.46 of 2024

... Respondent/ Complainant

For Petitioner : Mr.V.Vasudevan

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For bail in Crime No.46 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 05.02.2025 under

Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.



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2. The petitioner was arrested and remanded to judicial custody on 25.10.2024 for the alleged offences punishable under Sections 79 and 308 of Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 66E, 66C and 67B(b) of the Information Technology Act, 2008, altered to Sections 79 and 308 of Bharatiya Nyaya Sanhita (BNS), 2023, Sections 66E, 66C and 67B(b) of Information Technology Act, 2008 and Section 13 read with 14 of the Protection of Children from Sexual Offences Act, 2012 in Crime No.46 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 17.10.2024, the petitioner, along with two others, morphed a photo of the defacto complainant's daughter and sent it to her Instagram Account. They also demanded money from the defacto complainant's daughter, threatening to share the morphed photo on social media. Hence the case.

4. Mr.V.Vasudevan, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent persons and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been in judicial custody since 25.10.2024. He therefore prays to grant bail to the petitioner.

5. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that in the present case, Charge Sheet was filed and the same was taken on file in S.C.No.156 of 2025 on the file of the Special Court for the exclusive trail of POCSO Act Cases, Madurai. No previous case



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is pending against the petitioner. Accordingly, he prays to dismiss this Criminal
Original Petition.

6. Heard on both sides. This Court has perused the records.

7. This is the second bail petition. The petitioner was arrested on 25.10.2024 and has been in judicial custody since then. In this case, charge sheet has been filed. The petitioner has no previous case. The petitioner is a first-year college student. With a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate No.I, Madurai. Among two sureties one shall be a blood surety;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.I, Madurai shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residential address and mobile number;

(iv) The petitioner shall appear and sign before the learned Judicial Magistrate



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No.I, Madurai, weekly once i.e., on Monday at 10.30 a.m., until further orders.

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Further, the petitioner shall also appear before the trial Court on all hearing dates without fail;

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Madurai is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-

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Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI

TO

1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

<https://www.hmc.tn.gov.in/judis>



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3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
CYBER CRIME POLICE STATION,
CCD-III DISTRICT, MADURAI

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.2395 of 2025
Date :07/02/2025

SA/SAR. /07.02.2025/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.