



CRL OP(MD). No.4175 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4175 of 2025

T.Kolappan

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Cyber Crime Police Station,
Nagercoil, Kanyakumari District.
Crime No.1 of 2025

... Respondent/ Complainant

For Petitioner : Mr.L.George Paul Anto

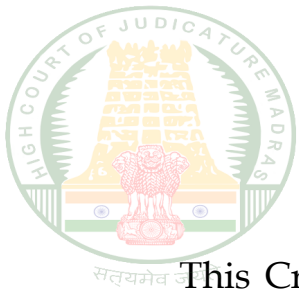
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.1 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-



CRL OP(MD). No.4175 of 2025

WEB COPY

This Criminal Original Petition has been filed by the petitioner on 04.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 66E, 67 and 67A of Information Technology Act, 2000 and Section 308 of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.1 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 18.10.2024, the petitioner / A2 invited the defacto complainant to one Nagendran's house and made him drink alcohol and the defacto complainant, since in drunken mode, did not know what happened further on that day. While so, on 19.10.2024, the accused persons came to the defacto complainant and informed him that they have taken obscene video of the defacto complainant and demanded Rs.10,00,000/-, otherwise to upload the video via social media. Hence, the case.

4. Mr.L.George Paul Anto, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution



CRL OP(MD). No.4175 of 2025

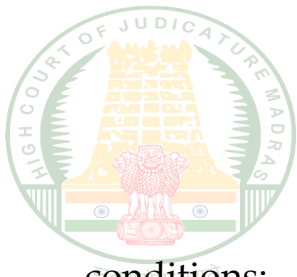
WEB COPY

and he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that in this case A1 was arrested and released on bail and that cell phone was also seized from A1. He further submits that, as per the direction of this Court, A2 appeared before the respondent-Police and voluntarily surrendered his mobile phone. In view of the same, he, on instructions, submits that the custodial interrogation of the petitioner is not necessary for the investigation agency.

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

7. In view of the submission made by the learned Government Advocate (Crl. Side) and taking note of the fact that the petitioner has permanent residence and deep roots in the Society and therefore, there is less possibility of absconding and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following



CRL OP(MD). No.4175 of 2025

conditions:

WEB COPY

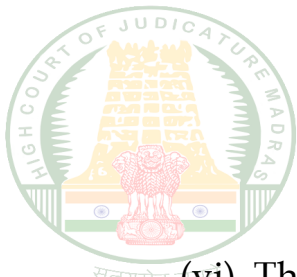
(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District;

(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 shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall make himself available for interrogation by a police officer as and when required;

(iv) 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;

(v) The petitioner shall not leave India without the previous permission of the Court;



CRL OP(MD). No.4175 of 2025

WEB COPY

(vi) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 09.00 a.m. until further orders;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District;

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

(ix) On breach of any of the aforementioned conditions, concerned Magistrate, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them 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/-
17/04/2025

/ TRUE COPY /

/05/2025

Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mbi



CRL OP(MD). No.4175 of 2025

TO
WEB COPY

- 1.THE JUDICIAL MAGISTRATE NO.II,
NAGERCOIL, KANYAKUMARI DISTRICT.
- 2.DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
NAGERCOIL DISTRICT@ KANYAKUMARI.
- 3.THE INSPECTOR OF POLICE,
CYBER CRIME POLICE STATION,
NAGERCOIL, KANYAKUMARI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4175 of 2025
Date :17/04/2025

VN/15.05.2025 6P/5C

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