



CRL OP(MD). No.7784 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Mohammed Ibrahim

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
Crime No.142 of 2025

... Respondent/Complainant

For Petitioner : Mr.B.Ramkumar Adityan

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.142 of 2025 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 24.04.2025

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under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to
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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 75 and 351(2) of Bharatiya Nyaya Sanhita (BNS), 2023 read with Section 67 of Indian Information Technology Act, 2000, in Crime No.142 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the accused runs a Mobile Shop at Moolakkaraipatti. The wife of the defacto complainant and the accused started to talk frequently over phone and later, she attended video call from the accused in nude position, which were saved by the accused. Later, the accused threatened the defacto complainant's wife with those videos. Hence, the case.

4. Mr.B.Ramkumar Adityan, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and a false case has been foisted against him. He however submits that the petitioner is ready to abide 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 the petitioner appeared before the respondent-Police and voluntarily surrendered his mobile phone for FSL



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examination. He further submits that since the petitioner is co-operating with the investigation, custodial interrogation of the petitioner is not necessary.

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

7. In view of the facts and circumstances and considering of the submission of the learned Government Advocate (Crl. Side) 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 conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli 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.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 District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli 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



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officer as and when required;

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(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;

(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 District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli District;

(viii) The petitioner shall not enter into the defacto complainant / victim's house or workplace;

(ix) The petitioner shall not try to contact the victim either directly or through any electronic mode;

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

(xi) 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



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petitioner in accordance with law as if the aforementioned conditions are imposed
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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/-

28/04/2025

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/ /2025

Sub Assistant Registrar
(CS - I/II/III/IV)

Madurai Bench of Madras High Court,
Madurai

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TO

1.The District Munsif cum Judicial Magistrate,
Cheranmahadevi, Tirunelveli District

2.The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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Date : 28.04.2025

BV(26/05/2025) 5P/ 4C

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