



CRL OP(MD). No.9080 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Arunprakash,
S/o. Rajakani,
Sasi Nagar,
Sivakasi,
Virudhunagar District.

... Petitioner/ Sole Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Cyber Crime Division (CCD-III Police Station).
Virudhunagar District.
Crime No.5 of 2025.

... Respondent/ Complainant

For Petitioner : M/s.E.Mareeskumar,
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Cr.No.5 of 2025 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner / Sole accused who was arrested and remanded to judicial custody on 05.05.2024 for the offences under section 77 of BNS, 2023 read with 66(E) of Information Technology (Amendment) Act, 2008 in Crime No.5 of 2025 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the defacto complainant's husband's friend Santhosh contacted through phone and informed that the obscene videos in respect of his wife was uploaded in the social media and thereafter, the defacto complainant saw the said videos and gave a complaint before the respondent police. After investigation, it is seen that the petitioner had affair with the defacto complainant before her marriage with one Lakshmanan and the petitioner had uploaded the obscene photos and videos of the defacto complainant as it was taken by the petitioner. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and only on assumption a false case has been foisted against him. He would further submit that the petitioner is in custody from 05.05.2024 and hence he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that during the year 2016, there was a love affair between the defacto complainant and



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the accused and they subsequently separated. After that, she married another person. However, the accused posted obscene videos of the defacto complainant on social media, thereby ruining her life, hence he objected to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also taking into consideration of the period of incarceration and considering the fact that most of the investigation might have been completed, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. 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 learned Judicial Magistrate No.I, Virudhunagar 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 furnish his residential address and mobile number to the learned Judicial Magistrate No.I, Virudhunagar. If the petitioner changes his residential address, he shall report the same to the concerned Court.



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[c] the petitioner shall report before the respondent police daily at 10.30 a.m., and thereafter, as and when required for interrogation.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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 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.

sd/-
02/06/2025

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/06/2025

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

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1. THE JUDICIAL MAGISTRATE NO.I,
VIRUDHUNAGAR.

2.THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3. THE SUPERINTENDENT, SUB JAIL,
VIRUDHUNAGAR.

4. THE INSPECTOR OF POLICE,
CYBER CRIME DIVISION (CCD-III POLICE STATION).
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.E.MAREES KUMAR, Advocate (SR-5847[I] dated 02/06/2025)

ORDER IN
CRL OP(MD) No.9080 of 2025
Date :02/06/2025

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