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CRL OP No. 566 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 566 of 2026

Asaruthein
S/o.Haja Sheriff, Chelliamman Koil
Street, Kunnavakkam Village,
Kancheepuram District.

Petitioner

Vs

The state rep.by the Inspector of Police
Oragadam Police Station,
Kancheepuram District Crime No.368
of 2025

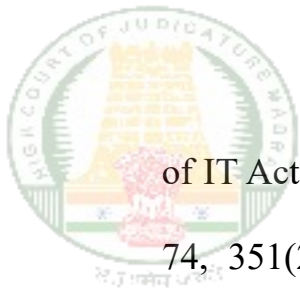
Respondent

PRAYER:Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.368 of 2025 on the file of the respondent police.

For Petitioner(s): B.Kumarasamy
For Respondent(s): Mr.A.Gopinath, GA (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.11.2025 for the offences punishable under Sections 74, 351(2) of BNS & Section 4 of Tamilnadu Prevention of Harassment Women Act r/w Section 67 A



of IT Act and later altered into offence under Section 6 of the POCSO Act with 74, 351(2) of BNS & Section 4 of Tamilnadu Prevention of Harassment Women Act r/w Section 67 A of IT Act, in Crime No.368 of 2025, registered on the file of the respondent police, seeks bail.

2. Earlier this court has dismissed the bail application of the petitioner on 19.12.2025 in Crl.OP.No.34923 of 2025.

3. The allegation against this petitioner is that, this petitioner during his minority had developed relationship with the victim girl aged 17 years. The petitioner made intimate the phone calls and recorded videos in his phone without the knowledge of the victim girl. After attaining majority he started to threaten her and demanding money. The defacto complainant was also similarly harassed by the two other persons and on 14.11.2025 this petitioner has opened an Instagram ID named ITS – Maha – 4321 and sent various intimate photographs and videos of the victim to the defacto complainant and also demanded money.

4. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 17.11.2025; and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and sought for bail to the



petitioner. He further submitted that the petition has not sent any messages and uploaded new photographs of the victim. He further submitted that a major part of investigation is concluded and hence, he prays for grant of bail of petitioner.

5. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that there are 3 accused in this case, the victim girl is now aged about 19 years and the photographs of the victim were recorded by the accused, during victim girl's minority. However, after attaining majority he demanded money by sending the photographs to the victim and also uploaded the same in Instagram ID and opposed for grant of bail to the petitioner. He further submitted that they are awaiting lab report for filing final report in this case.

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

7. Considering the abovesaid change in circumstances and the period of incarceration of the petitioner, this court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)**



with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate, Sriperumpudur*, and on further conditions that:-

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[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 report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

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

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] 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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

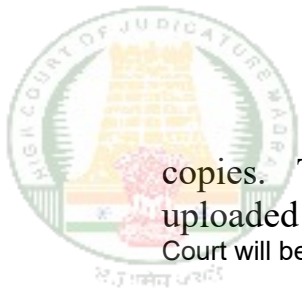
09.01.2026

Neutral Citation: Yes/No

gv

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 Judicial Magistrate, Sriperumpudur

2. The Inspector of Police
Oragadam Police Station,
Kancheepuram District

3.The Superintendent,
Central Prison , Vellore

4.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR.J
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