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CRL OP No. 16522 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16522 of 2026

Thiyagu

..Petitioner

Vs

State Represented by
The Inspector of Police,
T- 10, Manimangalam Police Station,
Chennai. Crime No.137 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.137 of 2026 on the file of the respondent police.

For Petitioner: Mr.S.Anbu Selvan

For Respondent: Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
23.05.2026 for the alleged offences under Sections 77, 78 of the Bharatiya
Nyaya Sanhita, 2023 & 66(E) of IT Act, in Crime No.137 of 2026 on the file of
the respondent police, seeks bail.



2. The case of the prosecution is that on 22.05.2026, while the defacto complainant was taking bath in her house, the petitioner allegedly captured her video through the bathroom window. On noticing the same, the defacto complainant raised alarm and the petitioner escaped from the place. Hence, the case was registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and has been falsely implicated without proper enquiry. The learned counsel would further submit that the petitioner is a daily wage labourer, has no previous criminal antecedents and has been in judicial custody since 23.05.2026. The petitioner is also ready to abide by any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) opposed the bail application on the ground that the allegation against the petitioner is that he captured the video of the defacto complainant while she was taking bath and would further submitted that there is no previous case pending against the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.



6. This Court is of the view that though the allegation against the petitioner is with regard to capturing the video of the defacto complainant while she was taking bath, taking into consideration the long incarceration of the petitioner since 23.05.2026 and the fact that there are no previous criminal antecedents against him, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned **Judicial Magistrate @ Sriperumbudur**, and subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

[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;



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[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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.

To

1. The Judicial Magistrate @ Sriperumbudur.
2. Central Prison, Puzhal, Chennai.
3. The Inspector of Police, T- 10, Manimangalam Police Station, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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