



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.23339 of 2026

T.Kabilan

..Petitioner

Vs

The State Rep by The Inspector of Police
Thuraipakkam Police Station,
Chengalpattu District.
Crime No.308 of 2026.

..Respondent

PRAYER: To enlarge the petitioner on bail in respect of Crime No.308 of 2026 on the file of Thuraipakkam Police Station, Thiruvannamalai District, pending investigation

For Petitioner : Mr.K.Ramraj

For Respondent : Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.07.2026 for the alleged offences punishable under Sections 77 and 75(1) of the Bharatiya Nyaya Sanhita, 2023, read with Section 66E of the Information Technology (Amendment) Act, 2008, and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002, in Crime No.308 of 2026 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the defacto complainant is a resident of a hostel owned by the petitioner. On the day of the incident, at about 5.00 p.m., the petitioner informed the defacto complainant that he would block a hole in her bathroom. After the petitioner left, the defacto complainant went to take a shower and noticed a mobile phone recording a video through the hole from the adjacent bathroom. When she knocked on the door of the adjacent bathroom, the petitioner came out. Subsequently, the sister of the petitioner handed over the mobile phone, which was identified by the defacto complainant as the device used for the illegal recording.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 13.07.2026 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for the grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent strongly opposed the grant of bail to the petitioner. He submitted that the petitioner has committed a grave and serious offence against a woman by violating her privacy in a hostel premises managed by him. He further submitted that the investigation is still at an initial stage and if the petitioner is



released on bail, he may tamper with the digital evidence or threaten the defacto complainant. Hence, he prayed for the dismissal of the bail petition.

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5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Criminal Side) appearing for the State and perused the materials available on record.

6. Considering the facts and circumstances of the case, the nature of the offence alleged, and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following 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 to the satisfaction of the **learned Judicial Magistrate Court No.II, Alandur**, and on further conditions that:

[a] the sureties shall affix his 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 his 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;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

20.08.2026

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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 Court No.II,
Alandur.

2.The Superintendent,
Sub Jail, Saidapet.

3. The Inspector of Police
Thuraipakkam Police Station,
Chengalpattu District.

4.The Public Prosecutor, High Court, Madras.



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N.RAMESH, J.

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