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Crl.O.P.No.1546 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1546 of 2025

S.Chidambaradhas

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Peerkankaranai Police Station,
Chengalpet District.

(Crime No.578 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.578 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.K.Viswanath

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.578 of 2024 registered for the offences punishable under Section 76 of BNS and Section 4 of Prohibition of Harassment of Women Act, 2002, is on board for consideration.



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2. The incarceration of the petitioner being from 19.12.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He submits that the petitioner is a lab technician and had asked the victim to co-operate for taking a test, whereas, she has misunderstood the same and given a false complaint against the petitioner. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court. Hence, he prayed for bail.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner is a Lab Technician in the Government Primary Health Centre. While the defacto complainant, who is a pregnant women, went for taking blood test, the petitioner locked to door and on the pretext of check-up, he insisted her to show her private part.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the



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materials available on record and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.1, Tambaram** 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 report before the respondent police everyday 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 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



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A.D.JAGADISH CHANDIRA., J.

Anu

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 of B.N.S.

23.01.2025

Anu

To

1. The Judicial Magistrate No.1, Tambaram

2. The Inspector of Police,
Peerankaranai Police Station,
Chengalpet District.

3. The Superintendent,
Central Prison, Puzhal

4. The Public Prosecutor,
High Court of Madras.

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