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Crl.O.P.No.2130 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

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

Crl.O.P.No.2130 of 2025

Thangaraj

... Petitioner

Vs.

The State Rep. by: The Inspector of Police
Thiruporur P.S.,
Chengalpet District (Crime No.3 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.3
of 2025 on the file of the respondent Police.

For Petitioner : Mr.F.Wellington

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

ORDER

Petition seeking bail in respect of Crime No.3 of 2025 registered for the
offences punishable under Section 75(1)(i) r/w.Section 75(2) of BNS and Section
4 of TNPHW Act, 2002 is on board for consideration.

2.The incarceration of the petitioner being from 05.01.2025 pleading
innocence on the part of the petitioner and false implication in the case, learned
counsel for the petitioner seeks indulgence of this Court. He also submits that on
03.01.2025 the petitioner was found driving his vehicle under the influence of
alcohol and was apprehended by the respondent police. Following the police's



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instructions, he went to the station the next day to retrieve his bike, at which point he was arrested by the respondent police. He also submits that the petitioner is no way connected with the alleged offences and he is ready to abide by any stringent condition that may be imposed by this court.

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 while the de facto complainant, a serving constable, was returning home, the petitioner followed her on a two-wheeler and misbehaved with her and harassed her sexually. He further submits that there are no previous cases against the petitioner. He further submits that the charge sheet has been filed before the learned Judicial Magistrate, Tiruporur.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the 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, Thiruporur, 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 learned Judicial Magistrate, Thiruporur , on all the working days at 10.30 a.m., for a period of two weeks and thereafter, on the dates fixed by the Judge concerned;

[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 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.

29.01.2025

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A.D.JAGADISH CHANDIRA, J.
sai

To

1.The Judicial Magistrate, Thiruporur

2.The Inspector of Police,
Thiruporur P.S.,
Chengalpet District

3.The Superintendent,
Sub Jail, Chengalpet

4.The Public Prosecutor,
High Court of Madras.

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