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Crl O.P.No.2580 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2580 of 2025

Raja

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Harur Police Station,
Dharmapuri District
(Crime No.37/2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of his arrest in Crime No.37 of 2025 on the file of the respondent Police.

For Petitioners : Mr.J.Pradeep

For Respondent : Mr.S.Balaji
Government Advocate(Crl.Side)
ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 4 of Tamilnadu Prohibition of
Harassment of Women Act, 1998 r/w 351 (2) of BNS, 2023, in Crime No.37 of
2025, seeks anticipatory bail.



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2.The case of the prosecution is that while the defacto complainant was waiting for a bus, the petitioner approached her on a two-wheeler and abused her in filthy language and harrassed her. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case and that in any case, custodial interrogation of the petitioner is not required for the purpose of investigation. Therefore, he prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner has abused and assaulted the defacto complaint in a public place. Hence, he vehemently opposed to grant anticipatory bail.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.



6.Considering the nature allegations and since custodial interrogation of the petitioner is not required for investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before **the learned Judicial Magistrate Court, Harur** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties** for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 10.00 a.m., until further orders.

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

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned



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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 BNS.

03.02.2025

Index : Yes / No
Internet : Yes / No
dpa

To

1. The Judicial Magistrate Court
Harur.

2. The Inspector of Police,
Harur Police Station,
Dharmapuri District

3. The Public Prosecutor,
High Court of Madras.

SUNDER MOHAN., J.



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