



Crl. O.P. No.3807 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.3807 of 2025

Sundaram S/o. Maruthamuthu

... Petitioner

Vs.

The State represented by:

The Inspector of Police,
R-2 Kodambakkam Police Station,
Chennai.

(Crime No.14 of 2025).

... Respondent

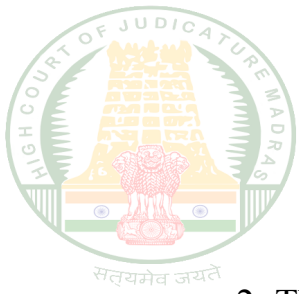
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.14 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. R. Sampath

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 28.01.2025, seeking bail in Crime No.14 of 2025 registered for the offences under Sections 75(2) of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act.



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2. The case of the prosecution is that on 26.01.2025 at about 2.34 p.m., the defacto complainant was standing in front of her office, the petitioner came near the defacto complainant in a car and harassed her and called her to come with him to ECR in bad intention.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false and considering the period of incarceration of the petitioner, he may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that there are 4 previous cases against the petitioner and he is on bail in all those cases.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the nature of allegations, the fact that the petitioner is on bail in all other cases, period of incarceration and that since further custody of the



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petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions. However, considering the facts and circumstances of the case, this Court is of the view that the petitioner can be directed to stay elsewhere for some period.

7. 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 **XVII Metropolitan Magistrate, Saidapet, Chennai-15** 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 stay at Cuddalore and report before the Cuddalore Town Police Station, 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



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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 B.N.S.

18.02.2025

mjs

To

1. The XVII Metropolitan Magistrate, Saidapet, Chennai-15.
2. The Inspector of Police, R-2 Kodambakkam Police Station, Chennai.
3. The Inspector of Police, Cuddalore Town Police Station, Cuddalore.
4. The Superintendent, Central Prison, Puzhal, Chennai-66.
5. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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