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Crl.O.P.No.8773 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P.No.8773 of 2025

B.Harikrishnan

...Petitioner/Accused

Vs.

State rep by  
The Inspector of Police,  
Selaiyur Police Station,  
Selaiyur.

(Crime No.47 of 2025)

... Respondent

**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.47 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.D.Muthukumarappa

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 06.02.2025, seeking bail



in Crime No.47 of 2025 registered for the offence under Sections 77, 78(2) and 79 of BNS, 2023 r/w Section 4 of TN Prohibition of Harassment of Women Act, 2002.

2.It is the case of the prosecution that the victim is the tenant in the house of the petitioner; that while the victim was taking bath, the petitioner had videographed her in his mobile phone and thus committed the aforesaid offences. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; that the petitioner has no bad antecedents; that the petitioner is in custody from 06.02.2025 and hence further custody of the petitioner is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the mobile phone has been seized and the same has been sent to forensic lab and that the petitioner has no bad antecedents.



5. Heard the learned counsel on either side and perused the materials available on record.

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6. Considering the period of incarceration, the fact that the petitioner has no bad antecedents, the fact that the mobile was seized and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail on their 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 **Judicial Magistrate II, 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 stay at Trichy and report before the Trichy Cantonment 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;

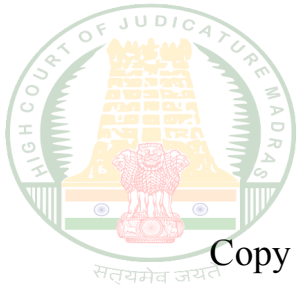
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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by 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 B.N.S.

25.03.2025

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- 1.The Inspector of Police,  
Selaiyur Police Station,  
Selaiyur.
- 2.The Judicial Magistrate II, Tambaram.
- 3.Sub Jail, Saidapet, Chennai.
- 4.The Public Prosecutor,  
High Court, Madras.



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**SUNDER MOHAN, J.**

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