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CRL OP NO. 9831 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02-04-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 9831 of 2025

A.Ramadas

S/o.Arumugam, No.6-64, Mangkuttapatti Kattuvalavu,
Amarakundhi, Omalur Taluk, Salem District-636 503.

Petitioner(s)

Vs

The State Represented By
Inspector Of Police, Tholasampatty Police Station,
Salem District. Crime No.4 Of 2025

Respondent(s)

For Petitioner(s):

Mr. C.Prabakaran

For Respondent(s):

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 Sections 296(b) (294(b) of IPC), 332(c) (450 of IPC), 77 (354 (c) of IPC) of BNS, 2023 and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002, in Crime No.4 of 2025, seeks anticipatory bail.



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WEB COP 2. The case of the prosecution is that the petitioner had entered into the ladies toilet of Panchayat Union Primary School, Amaragunthi and taken photographs of the toilets; that when the same was questioned by the Headmaster who is the defacto complainant, the petitioner abused him in filthy language. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is a disabled person and a social activist and he took photographs only to expose the poor maintenance of the toilets; that the petitioner had not taken any private pictures of any students; that even in the FIR it has been stated that the petitioner kept one person outside the toilet and he went inside to take photographs; that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is a differently-abled person and he is regular offender and in the habit of entering into the toilet and causing nuisance.

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

6. Considering the submissions made on behalf of the petitioner, the fact that admittedly, the petitioner had not taken pictures of any person; and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



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WEB COPY 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 Judicial Magistrate Court, Omalur, Salem District 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 conditions that:

[a] the petitioner shall report before the B1 North Beach Police Station, Chennai daily at 10.30 a.m., until further orders.

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

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

[d] 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 is released on bail by the learned



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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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

02-04-2025

msv

To
Inspector Of Police,
Tholasampatty Police Station,
Salem District.



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SUNDER MOHAN, J.

msv

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