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CRL OP No. 15043 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-05-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15043 of 2025

1. R.Senthil

S/o. Rasiyappan D. No. 3/79-2, Adi
Diravidar M. Chettipatti Post, Omalur
Taluk Salem - 636 455.

Petitioner(s)

Vs

1. The State rep by, The Inspector of
Police,
Tholasampatty Police Station, Salem
District. Crime No. 86 of 2025.

Respondent(s)

PRAYER

To grant Anticipatory Bail to the petitioner in the event of his arrest or on his appearance before any court in connection with the case in Crime No.86 of 2025 pending investigation on the file of the respondent police and thus render justice.

For Petitioner(s): Balaji T
 R.Anisha Rani



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S.V.Shivani Sree

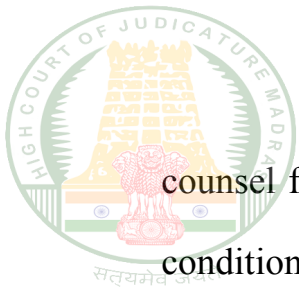
For Respondent(s): Mr.R.Vinothraja
Govt. Advocate(Crl.Side)

ORDER

The petitioner, apprehends arrest for the alleged offences under Sections 75(1) of BNS, 2023 r/w Sec.4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.86 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the de-facto complainant are neighbours. On the date of occurrence, at about 10.00 p.m, when the de-facto complainant alone was available in the house, the petitioner has entered into the house and caught hold of her hands and tried to misbehave with her. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner had some dispute with his cousin Mani and to get revenge, the said Mani has set up his wife, the de-facto complainant herein and lodged a complaint as if the petitioner entered into the de-facto complainant's house when she was alone and attempted to misbehave with her. The learned counsel further submitted that the date of occurrence is 06.04.2025, but the complaint has been lodged only on 12.04.2025. However, on instructions, the learned



counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that on the date of occurrence, the petitioner entered into the house of the de-facto complainant and attempted to misbehave with her and thereafter, she raised alarm and the petitioner ran away. He further submitted that investigation is still pending and hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, 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 (15) days from the date of receipt of a copy of this order, before the ***learned Judicial Magistrate, Omalur***, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)**, with two sureties, each 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 and on further condition 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 respondent Police, everyday at 10.30 a.m., for a period of 30 days and thereafter, as and when required for further interrogation;

[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.

16.05.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate, Omalur
2. The Inspector of Police
Tholasampatty Police Station
Salem District.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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Crl.O.P.No.15043 of 2025

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