



WEB COPY



Crl.O.P.No.15635 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CRL OP NO. 15635 of 2025

Rajesh .

... Petitioner/Accused

Vs

State rep.by

The Sub Inspector of Police,
Railway Police Station, Dharmapuri
Crime No.130/2025

... Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioner on bail, in Crime No.130 of 2025 on the file
of the respondent Police.

For Petitioner(s): Mr. P.M.Jayachandran

For Respondent(s): Mr.V.J.Priyadarsana, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 29.04.2025 for the alleged offence punishable under Sections 75(1) of
BNS, 4 of TNPHW Act 2002, in Crime No.130 of 2025, on the file of the
respondent police, seeks bail.



Crl.O.P.No.15635 of 2025

WEB COPY

2. The case of the prosecution is that, on 28.04.2025 at about 11.20 p.m., when the defacto-complainant was travelling in Yeshvandhpur-Kannur Express, she realised that some one is touching her and suddenly, when she woke up, the petitioner fled away from the S3 compartment and on searching with the help of co-passengers he was found in train toilet. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and false complaint has been foisted against him. He would further submit that the petitioner was arrested and he is in judicial custody from 29.04.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the based on the complaint given by the defacto complainant, the petitioner was arrested on 29.04.2025 and he opposed for grant of bail to the petitioner.

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



CrI.O.P.No.15635 of 2025

WEB COPY

6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, and also considering all others factors, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned **Sessions Judge, Additional Mahila Court, Dharmapuri** 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 report before the concerned Magistrate/Judge on every Monday to Friday at 10.30.a.m., and further report before the respondent police on every Saturday and Sunday at 10.30.a.m., until further orders;

[c] the petitioner shall not abscond either during



WEB COPY



CrI.O.P.No.15635 of 2025

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 B.N.S.

21.05.2025

mst

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 official website of this Court will be watermarked and will also have a QR code.**

To

1.The Sessions Judge, Additional Mahila Court, Dharmapuri.

4/6



CrI.O.P.No.15635 of 2025

WEB COPY

2. The Sub Inspector of Police,
Railway Police Station, Dharmapuri
3. The Superintendent,
Sub Jail, Dharmapuri.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



CrI.O.P.No.15635 of 2025

N.SENTHILKUMAR, J.

mst

CrI.O.P.No.15635 of 2025

21.05.2025