



Crl.O.P.No.15727 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

CORAM

**THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR**

Crl.O.P.No.15727 of 2025

K.A.Venkatesan

... Petitioner

Vs.

State rep. by  
The Station House Officer,  
Varanjaram Police Station,  
Kallakuruchi District.  
Crime No.106 of 2025.

... Respondent

**PRAYER** : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in Crime No.106 of 2025 pending on the file of the Respondent police.

For Petitioner : Mr.P.Sesubalan Raja

For Respondent : Mr.L.Baskaran  
Government Advocate (Crl.Side)

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 04.05.2025, for the offence punishable under Section 75 (1) (i) and 351 (2) of BNS r/w Section 4 of Tamil Nadu Women Harassment (Prevention) Act, in connection with Crime No.106 of 2025, registered on the file of the respondent, seeks bail.



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2. **The** case of the prosecution is that when the victim girl went to the petitioner's medical shop with her minor son for availing nebulizer treatment, petitioner had forcibly touched her breast and also pinched her private parts. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner's medical shop is located in the main road and it is visible to everyone and therefore there is no possibility that the petitioner had misbehaved with the victim girl, however he is suffering incarceration from 04.05.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the investigation has been completed and charge sheet also filed.



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

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, 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 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 **Judicial Magistrate No.I, Kallakuruchi**, and on further conditions that:

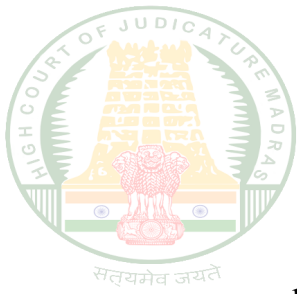
[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

**[b] the petitioner shall report before the trial Court on all hearing dates without fail;**

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for



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being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

**03.06.2025**

sma

To

1. Judicial Magistrate No.I,  
Kallakuruchi.
- 2.The Station House Officer,  
Varanjaram Police Station,  
Kallakuruchi District.
3. The Superintendent,  
Central Prison, Cuddalore.
4. The Public Prosecutor,  
High Court of Madras.



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**M.NIRMAL KUMAR, J.**

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