



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17136 of 2025

Bharath

... Petitioner

Vs.

State rep. by
The Sub-Inspector of Police
Virinchipuram Police Station,
Vellore District
Crime No.98 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in
Crime No.98 of 2025 on the file of the Respondent police.

For petitioner : Mr.E.Kannadasan

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

ORDER

The petitioner who apprehends arrest at the hands of the respondent
police for the alleged offences under Sections 332(c), 118(1), 351(2) of BNS
2023 r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act,
2002, in Crime No.98 of 2025, seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that the petitioner had trespassed into the house of the defacto complainant and committed sexual assault on her. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that there is a money dispute between the petitioner and defacto complainant and to escape from repayment of the same, he has been falsely implicated in this case. He is an innocent person and the petitioner is in no way connected with the alleged offence. 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 anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the petitioner committed sexual assault on the defacto complainant and bit her nose and cheek and the same was confirmed by the medical report of the defacto complainant.

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 counsel on either side and that the petitioner is ready to abide by any condition, this Court is inclined to grant anticipatory bail to the petitioner



with certain conditions.

WEB COPY

7. Accordingly, the petitioner is ordered to be released on anticipatory 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.IV, Vellore*, 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 respondent Police, everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for further interrogation;

[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 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



WEB COPY



M.NIRMAL KUMAR, J.

gv

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.

19.06.2025

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 No.IV, Vellore
2. The Sub-Inspector of Police
Virinchipuram Police Station,
Vellore District
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.17136 of 2025