



Crl.O.P.No.18306 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18306 of 2025

G.Sivaramaperumal

... Petitioner

Vs.

State rep. by
The Inspector of Police
Anupparpalayam Police Station
Tiruppur District
Crime No. 322 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail pending
investigation in Crime No. 322 of 2025 on the file of the respondent police.

For Petitioner : Mr. G.Lakshmikanth

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on
13.06.2025, for the offence punishable under Section 74, 75 of BNS Act and
Section 4 of Tamil Nadu Prohibition of Harassment of Womens act, 2002 in
connection with Crime No.322 of 2025, registered on the file of the respondent,
seeks bail.



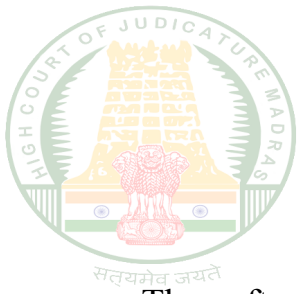
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2. The case of the prosecution is that defacto complainant is working in petitioner's store and it is alleged that the petitioner had molested the defacto complainant. Hence, the case.

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 also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 13.06.2025. It is the contention of the petitioner that the defacto complainant was employed as a part time staff in his stationery store and apart from the victim, there are eight regular female employees were employed. It is his contention that earlier, there was a salary dispute between them which is now projected as if the petitioner had called the victim girl and had attempted to molest her. It is his further contention that petitioner is a married man and having children aged about 24 years and 18 years. 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 Additional Public Prosecutor appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the petitioner had called the victim girl to his house and attempted to molest her.



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Thereafter, the victim girl came to know that her co-worker was also subjected to this similar act. Hence, she lodged a complaint. He also submitted that this incident of the petitioner had affected the defacto complainant's mental peace very badly and she is unable to concentrate on her studies. Taking his dominant position, the petitioner had committed the offence, hence, he strongly objected to grant bail to the petitioner.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and considering the period of incarceration undergone by the petitioner, 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-III, Tiruppur** 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



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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 two 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 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]**;



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

26.06.2025

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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 learned Judicial Magistrate-III, Tiruppur.
2. The Inspector of Police
Anupparpalayam Police Station
Tiruppur District
3. The Superintendent,
District Jail, Tiruppur.
4. The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.

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