



Crl.O.P.No.18243 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18243 of 2025

A.G.Kutty @ Vasanthakumar

... Petitioner

Vs.

State rep. by
The Inspector of Police
Arcot Town Police Station
Ranipet District
Crime No. 254 of 2025

... Respondent

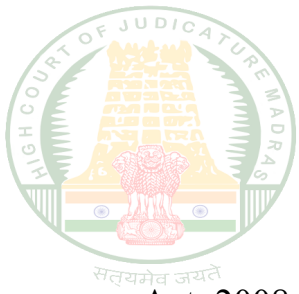
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail pending investigation in Crime No.254 of 2025 on the file of the respondent police.

For Petitioner : MrD.Thirumoorthy

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.05.2025 for the offence punishable under Section 75 and 78 of BNS, Act, 2023 (354 (A) and 354D of IPC) and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002 and 67 of Information Technology (Amendment)



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Act, 2008 in connection with Crime No.254 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that there is a money dispute between the defacto complainant and the 2nd accused. It is alleged that petitioner/A1 had intervened to solve the dispute and based on which, a sum of Rs.2,40,000/- was repaid by A2 to the defacto complainant. Thereafter, the defacto complainant approached the petitioner to recover the balance amount from A2, during which the petitioner had attempted to sexually harass the defacto complainant and had sent obscene messages and videos. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and since he played a mediation role in the financial dispute between the defacto complainant and A2, a false case has been projected as if the petitioner had sent some inappropriate messages to defacto complainant and causing disturbance to her. He also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 12.05.2025. 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.



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4. Learned Additional Public Prosecutor appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that defacto complainant and A2 had illegal relationship and A2 borrowed a sum of Rs.3,30,000/- from defacto complainant and this petitioner intervened to solve the dispute and a sum of Rs.2,40,000/- was repaid by A2 to the defacto complainant. Thereafter, the petitioner had sent inappropriate messages to the defacto complainant causing harassment to her due to which, the victim also attempted to commit suicide.

5. At this juncture, the learned counsel for the petitioner undertakes that the petitioner shall not disturb the victim in any manner, either by contacting her over the phone or approaching her directly and he shall keep himself away from her.

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

7. 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.



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8. 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 District Munsif cum Judicial Magistrate, Arcot** 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 stay in Chennai and report before the D-1,Triplicane Police Station, Chennai 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



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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]**;

[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.



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M.NIRMAL KUMAR, J.

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To

1. The learned District Munsif cum Judicial Magistrate, Arcot

2. The Inspector of Police
Arcot Town Police Station
Ranipet District

3. The Superintendent,
Central Jail, Vellore

4. The Public Prosecutor,
High Court, Madras.

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