



WEB COPY



CrI.O.P.No.19258 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08.07.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.19258 of 2025

Karthikeyan

... Petitioner/A1

Vs

State Represented by

The Inspector of Police,

F-5 Choolaimedu Police Station,

Anna Nagar, Chennai.

(Crime No.395 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in connection with Crime No.395 of 2025 on the file of the respondent Police.

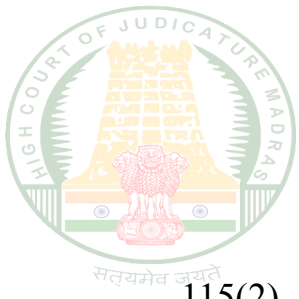
For petitioner : Mr.T.Saraganan

For Respondent : Mr.R.Vinothraja

Government Advocate (CrI. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.06.2025, for the offences punishable under Sections 329(4), 296(b),



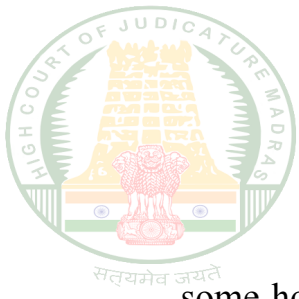
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115(2), 75, 76 and 351(2) of BNS, 2023 in connection with Crime No.395 of 2025, on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner and de-facto complainant are neighbours. With the help of petitioner, the de-facto complainant purchased home appliances on EMI basis and all the EMI has been settled by the de-facto complainant. On the date of occurrence, the petitioner trespassed into the house of the de-facto complainant and asked for a sexual favour. The same was informed by the de-facto complainant to the petitioner's wife. Thereafter, the petitioner along with other accused came to the house of the de-facto complainant for compromise, whereby some quarrel arose. Subsequently, the petitioner and other accused misbehaved with the de-facto complainant. Hence the case.

3.The contention of the learned counsel for petitioner is that the petitioner and de-facto complainant are neighbours. The petitioner purchased

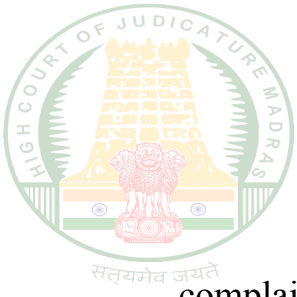


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some home appliances at the request of the de-facto complainant, which she failed to pay and the petitioner had demanded that money, for which, a false complaint has been lodged against the petitioner. In this case, the alleged occurrence took place on 06.04.2025 but the complaint has been lodged only two months thereafter, i.e., on 18.06.2025. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate strongly opposed the petitioner's contention submitting that there are totally 8 accused in this case. The petitioner and de-facto complainant/victim are neighbours. The victim purchased certain home appliances on the reference of the petitioner on EMI basis. The de-facto complainant paid all the EMI amount but taking advantage of this relationship, the petitioner has been constantly harassed the victim. Further the petitioner entered the victim's house and asked for sexual favour. The petitioner's wife came to know that the victim intended to lodge a



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complaint with the respondent police. Thereafter a compromise within the family had taken place and it was assured that the petitioner will not disturb the de-facto complainant. Contrary to the undertaking, the petitioner entered the house of the de-facto complainant and continued harassment. Hence, the complaint has been lodged and that is the reason for delay. In this case the other accused are yet to be arrested.

5.Finding the grave nature of offence and the co-accused are yet to be arrested in this case, this Court is not inclined to entertain this petition and the same is dismissed.

08.07.2025

rsi



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To:
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1.The XVIII Metropolitan Magistrate,
Saidapet, Chennai.

2. The Inspector of Police,
F-5 Choolaimedu Police Station,
Anna Nagar, Chennai.

3.The Public Prosecutor,
High Court Madras.



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M.NIRMAL KUMAR, J.

rsi

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