



Crl.O.P.No.22557 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22557 of 2025

M.Masilamani

... Petitioner

Vs.

The State rep by,
The Inspector of Police,
M-3 Puzhal Police Station,
Chennai-600 006.
(Crime No.669 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in connection with Crime No.669 of 2025 on the file of respondent Police.

For Petitioner : Mr.G.V.Sridharan

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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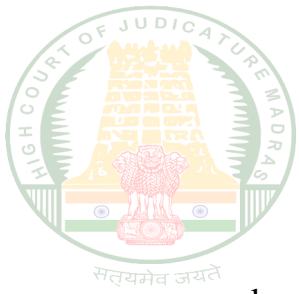
ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section **74 of BNS, 2023**, in Crime No.669 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The petitioner herein is a Jail Warden in Central Prison Puzhal, on a complaint given by the Jailer/Incharge Officer alleging that sexual abuse of inmates, a case has been registered by the respondent police for an offence under Section 74 of BNS Act. The petitioner is absconding and he has already been placed under suspension pursuant to the departmental proceedings initiated.

3. The learned counsel appearing for the petitioner states that due to personal enmity a false compliant has been registered using a probation prisoner also a Transgender as a dude. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the



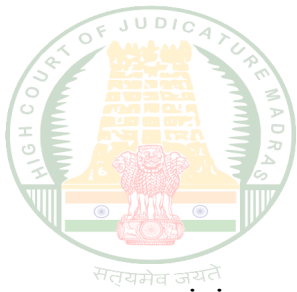
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respondent police while opposing for granting anticipatory bail to the petitioner, reiterated the prosecution case.

5. Heard the learned counsels and perused the materials available on record.

6. Since the petitioner is a Government servant and already under suspension, securing his presence for investigation is sufficient; he shall participate in the investigation. Considering the nature of the complaint and the statement of the witnesses as well as the conduct of the petitioner who is absconding, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, **on or before 21.08.2025** before the learned **District Munsif-cum-Judicial Magistrate Court, Madhavaram**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties**, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for



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anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate on or before 21.08.2025, this Order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[d] the petitioner shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[f] 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;

[g] 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



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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.

13.08.2025

dna

To

1.The District Munsif-cum-Judicial Magistrate Court,
Madhavaram.

2.The Inspector of Police,
M-3 Puzhal Police Station,
Chennai-600 006.
(Crime No.669 of 2025)

3.The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.
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