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Crl.O.P.No.2879



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.10.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.28797 of 2025

Sunilkumar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Railway Police Station,
Salem
(Crime No.342 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in connection with the case in Crime No.342 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Sathish Kumar

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl. Side)

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 07.10.2025, for the alleged offence punishable under Section 75 of BNS r/w. Section 4 of TNPHW Act in Crime No.342 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that while traveling in the train, he kissed on the defacto complainant's back side and attempted to hug her. Hence the complaint has been lodged.

3. Learned counsel appearing for the petitioner submitted that the petitioner is aged person and he lost his balance and fell on the victim in this case and he was travelled along with his family members including his daughter. He further submitted that the petitioner has been falsely implicated in this case. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reported that the petitioner was arrested on 07.10.2025 and he is not having any previous case. However, he opposed for grant of bail to the petitioner.



5. Heard both sides and perused the materials available on record including the First Information Report.

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6. Considering the fact that the petitioner was arrested on 07.10.2025 and he is in custody and he is not having any previous case, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned Additional Mahila Court Cum Judicial Magistrate Level, Salem*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or



witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the

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learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

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

24.10.2025

mpa

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
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- 1.The Additional Mahila Court Cum Judicial Magistrate Level, Salem
- 2.The Inspector of Police,
Railway Police Station,
Salem.
- 3.The Superintendent of Police,
Central Prison, Salem.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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