



Crl.O.P.No.29840 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29840 of 2025

Ganesh

... Petitioner

Vs.

The State represented by
The Inspector of Police,
R-10, M.G.R.Nagar Police Station,
Law and Order,
Chennai.
(Crime No.359 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.359 of 2025 on the file of the respondent police.

For Petitioner : Mr.Ram Pranav MNR
for Mr.A.Bharath Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 11.10.2025, for the offence punishable under Sections 329(4), 296(b), 75
of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of



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Women Act, in Crime No.359 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner trespassed into the house of the de facto complainant while she was alone and attempted to molest her. Hence, the complaint was lodged.

3. The learned counsel appearing for the petitioner submitted that the petitioner is known to the de facto complainant and resides in the same locality. He further submitted that a false complaint has been lodged against the petitioner and that he had no intention to molest the victim. He further submitted that the petitioner has been in custody since 11.10.2025. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner has two previous cases – under Sections 457 and 380 IPC. Hence, he opposed for grant of bail.



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

6. Considering the submissions made by the learned counsels on either side, the fact that the offence alleged is not grave in nature, and taking into account the period of incarceration, 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.20,000/- (Rupees Twenty Thousand Only)** with **two sureties**, each for a like sum to the satisfaction of the learned **XXIII Metropolitan Magistrate, Saidapet**, 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 report before the respondent police daily at 10.30 a.m., for a period of three weeks, and thereafter as and when required for



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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]**;

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

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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 XXIII Metropolitan Magistrate, Saidapet.
- 2.The Inspector of Police,
R-10, M.G.R.Nagar Police Station,
Law and Order,
Chennai.
- 3.The Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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