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Crl.O.P.No.30764 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.30764 of 2025

Palanivel

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Govt. HQRS Hospital Police Station,
Salem City.
(Crime No.16 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
PRC No.176 of 2025 on the file of the Additional Mahila Court, Salem.

For Petitioner(s) : Mr. S. Sivakumar

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.08.2025 for the offences punishable under Section 68(d) of BNS in PRC No.176 of 2025 on the file of the Additional Mahila Court, Salem, seeks bail.

2. The allegation against this petitioner is that, he is working as a temporary cleaning labour in the hospital, where the defacto complainant was admitted and taking treatment; that on 01.08.2025, while the defacto complainant was sleeping, the petitioner had misbehaved with the defacto complainant by touching her private part; that while the defacto complainant woke up and raised alarm, the petitioner fled away from the place. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 01.08.2025; that the investigation of the case has been completed and charge sheet filed in PRC No.176 of 2025; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that the investigation of the case has been completed and charge sheet filed in PRC No.176 of 2025.

5. Considering the facts and circumstances of the case, the fact that investigation was completed and charge sheet has been filed and taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 **Additional Mahila Court, Salem** 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;



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[b] the petitioner shall report before the Additional Mahila Court, Salem daily at 10:30 a.m., for a period of four weeks and thereafter, on all the hearing dates without fail;

[c] 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]**;

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

11.11.2025

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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



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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 Judge, Additional Mahila Court,
Salem.
2. The Inspector of Police,
Govt. HQRS Hospital Police Station,
Salem City.
(Crime No.16 of 2025)
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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