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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2025

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THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

**Crl.O.P.No.31381 of 2025**

Mottaiyan

... Petitioner

Vs.

The Inspector of Police  
Kallakurichi Police Station,  
Kallakurichi District  
(Crime No.580 of 2025)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Crime No.580  
of 2025 on the file of the respondent police.

For Petitioner : Mr.P.Praveen  
For Respondent : Mr.A.Gopinath  
Government Advocate (Crl. Side)

**ORDER**

The petitioner herein, apprehending arrest at the hands of the  
respondent police for the offences punishable under Section 296(b), 75(2) &



351(2) of BNS, in Crime No.580 of 2025, on the file of the respondent  
Police, seek anticipatory bail.

2. The case of the prosecution is that on 17.09.2025, when the defacto complainant was sleeping in her shed, petitioner went there and inappropriately touched her. Hence, the case.

3. The learned counsel for the petitioner submitted that, petitioner is innocent person and due to money dispute, false complaint has been given by the defacto complainant. Thus, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl Side) submitted that the investigation has not been completed and that there is no previous case pending against the petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

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



available on record.

6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side, also considering the fact that the counter case has been registered by the respondent and that there is no previous case pending against the petitioner, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate Court No.I, Kallakurichi, Kallakurichi District**, 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 learned Magistrate concerned, and on further condition that:



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[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix his 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., for a period of three weeks and thereafter as and when required for interrogation;**

**K.RAJASEKAR, J.**

kmm

[d] On breach of any of the aforementioned



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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]**;

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

**18.11.2025**

kmm

To

1. The Judicial Magistrate – I, Kallakurichi, Kallakurichi District.
2. The Inspector of Police  
Kallakurichi Police Station,  
Kallakurichi District .
3. The Public Prosecutor,  
High Court of Madras.

**Crl.O.P.No.31381 of 2025**