



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2025

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THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.32250 of 2025

S.Sivakumar

... Petitioner

Vs.

State Represented by:
The Inspector of Police,
Gingee Police Station,
Villupuram.
(Crime No.391 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.391 of 2025 on the file of the respondent police.

For Petitioner : Mr.T.S.Kanmani

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioner, who was apprehending arrest at the hands of the respondent police for the offences punishable under Sections 75, 79 of BNS Act, r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.391 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that when the defacto complainant approached the petitioner for obtaining patta for her house plot, the petitioner misbehaved with her and sexually harassed her. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is a Government servant, and he has not committed any offence as stated in the FIR, and he is ready to abide any condition to be imposed by this Court. Hence, she prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the petitioner was suspended from his service by the District Collector, and that investigation has not been completed. Hence, he strongly opposed the grant of 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, the submissions made by learned counsels on either side, and taking into



account that the fact that the petitioner has already been placed under suspension and that the alleged act of harassment appears to be in the nature of conversation, 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, Gingee**, 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:

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

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Suretyship [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 his identity;



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

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners 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.

26.11.2025

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To

1. The Judicial Magistrate Court, Gingee.

2. The Inspector of Police,
Gingee Police Station,
Villupuram.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR.J.,

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