



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.34266 of 2025

Sridhar

Petitioner

Vs

The State Represented by
The Inspector of Police,
Kanankurichi Police Station,
Salem.
Crime No.325 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner in Crime No.325 of 2025 on the file of the respondent police.

For Petitioner:

Mr.P.Thinesh

For Respondent:

Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody



on 30.10.2025 for the alleged offence punishable under Sections 75(1)(i), 75(1)(ii), 78(2) and 351(2) of BNS, in Crime No.325 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner is a relative of the defacto complainant, and that taking advantage of her loneliness, he sexually assaulted her and also threatened her with dire consequences. It is further alleged that the petitioner threatened that if she revealed the occurrence to others, he would upload the obscene photographs of the victim by morphing images. Hence, a complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody from 30.10.2025. He further submitted that the investigation is completed and final report filed. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that though the allegation pertains to molestation of the victim and it is not a penetrative sexual assault, that the investigation is completed and the final report filed. Hence, he opposed to grant bail to the petitioner.



5. Considering the submissions made by the learned counsel on either side, the nature of the allegations, and the manner in which the occurrence took place, the petitioner is not having any bad antecedents and considering the period of his incarceration, 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 her executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate, Additional Mahila Court, 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 stay at Erode and report before the Judicial Magistrate No.I, daily at 10.30 a.m., for a period of four weeks and except on the dates of hearing of the present case before the committal Court.



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[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 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.

15.12.2025

drl



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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 Judicial Magistrate,
Additional Mahila Court, Salem.

2. The Inspector of Police,
Kanankurichi Police Station,
Salem.

3. The Superintendent,
Central Prison, Salem.

4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

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