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CRL OP No. 35561 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35561 of 2025

M.Bharaniraja
S/o. Munusamy,
No. AP 14, 6TH Street ,
1st Sector, West KK Nagar,
Kalaingar Karunanidi Nagar,
Chennai 600 078.

Petitioner(s)

Vs

State Rep by,
The Inspector of Police
V4, Ragamangalam Police Station,
Chennai District.

Respondent(s)

PRAYER:-The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to enlarge the petitioner on bail pending investigation in crime no 490 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.R. S.Selvam

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner / Accused, who was arrested and remanded to judicial



custody on 06.12.2025 for the offence punishable under Sections 75, 79 of BNS Act, 2023 r/w Section 4 of TNPHW Act on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused had committed sexual assault with the defacto complainant. Hence the case.

3. The learned counsel for the petitioner would contend that both the petitioner and the defacto complainant were travelling in public transport. While the petitioner attempting to secure a seat in the bus, a wordy altercation arose between the petitioner and the defacto complainant. Owing to the said altercation, the defacto complainant has falsely implicated the petitioner by lodging false complaint. The petitioner is an innocent and he is nothing to do with the alleged offences. He is in judicial custody from 06.12.2025. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that both the petitioner and the defacto complainant were travelling in bus, the petitioner tried to misbehave with the defacto complainant and the investigation is pending. Further, he would submit that there is no previous case against the petitioner as on today.



5. Heard both sides and perused the materials available on record.

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6. Considering the nature of offences and the fact that there is no previous case pending against the petitioner and also taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:-

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **XIII Metropolitan Magistrate Court, Egmore** and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.00 a.m. for 30 days and thereafter as and when required;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial



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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

26-12-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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 official website of this Court will be watermarked and will also have a QR code.



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To:-

1.XIII Metropolitan Magistrate Court,
Egmore.

2.The Inspector of Police,
V4, Ragamangalam Police Station,
Chennai District.

3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL J.

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