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Crl.O.P.No.130 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.130 of 2026

A.Sheik Abdulla

... Petitioner

Vs.

State rep. by,
The Sub-Inspector of Police,
GRP Police Station, Katpadi,
Vellore District.
(Crime No.359 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in event of arrest pending investigation in Crime No.359 of 2025 on the file of the respondent police.

For Petitioner : Mr.A.Raja Mohamed
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)
For Intervenor : Mr.A.Prakash

ORDER

The petitioner apprehends arrest for the alleged offence **under Section 75 of the Bharatiya Nyaya Sanhita, 2023 read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002**, in **Crime No.359 of 2025** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner, while traveling on the train, misbehaved with the victim who was seated next to him



by inappropriately touching her. The victim had immediately recorded the incident and thereafter lodged a complaint with the respondent police. Hence, the case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner was in deep sleep during the train journey when the incident occurred without his knowledge and after reaching his office, he came to know that he has been suspended from service. He further submitted that certain video clips were circulated for the purpose of spreading malicious intent of tarnishing the image of the police authorities. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned counsel for the intervenor strongly opposed to grant anticipatory bail to the petitioner and submitted that it is a case of grave offence and if the petitioner is granted anticipatory bail there is likelihood he would hamper the investigation.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that there are video clips available to show that the petitioner herein misbehaved and inappropriately touched the victim. He further submitted that now the case is altered into sections 62, 75, 304(2) of BNS r/w section 4 of TNPHW Act, 2002. Hence, he opposed to grant anticipatory bail to the petitioner.



6. Considering the nature of allegations levelled against the petitioner and considering the fact the petitioner was immediately suspended from service after the occurrence had taken place and that now he is not in service, I am of the view that custodial interrogation is not necessary for the purpose of investigation of this case. Hence, I am inclined to grant anticipatory bail to the petitioner subject to 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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-IV, Vellore**, on condition that **the petitioner shall execute 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 learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 surety ship (Judicial

K.RAJASEKAR, J.

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Form No.46 annexed to 'The Criminal Rules of Practice,



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2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent Police everyday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

07.01.2026

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To

- 1.The Judicial Magistrate-IV, Vellore.
2. The Sub-Inspector of Police, GRP Police Station, Katpadi, Vellore District.
- 3.The Public Prosecutor, High Court of Madras.

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