



Crl.O.P.No.264 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.264 of 2026

Chithiravel @ Santhosh

... Petitioner

Vs.

State rep. by
The Inspector of Police,
All Women (East) Police Station,
Coimbatore District.
(Crime No.59 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.59 of 2025 on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence **under Sections 78(2) and 79 of BNS in Crime No.59 of 2025** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner while working as a driver in the Private bus Travels, the victim in this case travelled in the bus along with her classmate to Coimbatore and after they reached their

destination, A1 in this case called the victim and tried to develop contact and also tried to obtain sexual favour, and immediately the victim girl informed the same to her father who in turn contacted the Manager of the said Travels and accordingly, the complaint has been lodged and the case has been registered.

3. The learned counsel for the petitioner submitted that petitioner has not made any phone calls to the victim girl, and it was only the first accused (A1) who had contacted her. It was further contended that the petitioner, being merely a driver, has been falsely implicated in the present case and that he is ready to abide by any conditions that may be imposed by this Court and he is ready to cooperate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the investigation in this case is still pending and that the petitioner is not having any previous cases. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsel on both sides; and the nature of allegations levelled against the petitioner; and no previous bad antecedents



have been registered against him; and also taking note of the fact that the major overt act attributed only against A1 in this case, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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 **Additional Mahila Court, (Magistrate Level), Coimbatore**, 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 Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one

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of identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent



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Police everyday at 06.30 p.m., for a period of two 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.

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To

- 1.The Additional Mahila Court, (Magistrate Level), Coimbatore.
- 2.The Inspector of Police, All Women (East) Police Station, Coimbatore District.
- 3.The Public Prosecutor, High Court of Madras.

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