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Crl.OP.No.399 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.399 of 2026

Esupatham

... Petitioner

Vs.

State rep by
The Inspector of Police,
B-8, Periyathachur Police Station,
Villupuram District.

.. Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police, pending investigation of the case in Cr.No.198 of 2025 on the file of the respondent police.

For Petitioner : Mr.V.K.Thiruvengadam

For Respondent : Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 77, 78 of BNS r/w Section 4 of Tamilnadu Prohibition of Harassment of Women Act in Cr.No.198 of 2025 on the file of the respondent police. seeks anticipatory bail.

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2. The case of the prosecution is that while the defacto complainant was changing her dress, the petitioner has taken video graphs of the defacto complainant in his mobile phone. Hence, the complaint has been lodged against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He further submitted that the petitioner is aged about 21 years and he is ready and co-operate with the investigation and prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the mobile phone used by the petitioner was recovered and there is no previous case against the petitioner. Hence, she opposed the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the nature of allegations and age of the petitioner and also the fact that the mobile phone used by the petitioner was recovered and no previous case reported as against the petitioner, I am inclined to grant

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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 made, before the learned **Judicial Magistrate Court, Tindivanam** 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 learned Magistrate concerned, and on further condition that:

(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 of identify proofs to ensure their identity;

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

(d) The petitioner shall not tamper with evidence or witness either during investigation or trial;



(e) The petitioner shall not abscond either during investigation or trial:

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***;

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

12.01.2026

Vv

To

1. The **Judicial Magistrate Court, Tindivanam**

2. The Inspector of Police,
B-8, Periyathachur Police Station,
Villupuram District.

3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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