



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.2457 of 2025

TamilSelvan

.....Petitioner

Vs

State Rep by: Inspector of Police,
Omalur Police Station,
Salem – 636 455.
Crime No.695 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.695 of 2025 on the file of the respondent police.

For Petitioner: Mr.D. Mario Johnson
For Respondent: Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.12.2025 for the alleged offence punishable under Sections 74, 78(2),115(2) of the BNSS read with Section 4 of the TNPHW Act 2002 altered to Sections 75(2), 78(2),115(2) of the BNSS read with Section 4

Page 1 of 6



WEB COPY

of the TNPHW Act 2002 in Crime No.695 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner followed the victim lady while she was riding in a two wheeler and subsequently attacked her and pushed down and touched her breast and went away from the place of occurrence. Thereafter, the victim identified the petitioner and registered a case against him. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner/A1 is an innocent person and he has been falsely implicated in this case and co-accused in this case has granted bail. He further submitted that he is in judicial custody since 16.12.2025. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted there are totally 3 accused in this case and the petitioner has been arrested on 16.12.2025 and there is no previous cases pending against the petitioner. However , he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.



WEB COPY

6. Considering the submissions of the learned counsel on either side, the fact that petitioner is in judicial custody from 16.12.2025 and further incarceration is not necessary and also considering the age of the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.

7. 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 Court, Omalur* 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 report before the respondent police daily at 10.30 a.m., for a period of



three weeks and thereafter, as and when required for interrogation.

[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];



WEB COPY



[f] If the accused thereafter absconds, a fresh

FIR can be registered under Section 269 B.N.S.

05.02.2026

smn

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 Court, Omalur*

2. The Inspector of Police,
Omalur Police Station,
Salem – 636 455.

3. The Superintendent,
Central Prison, Salem

4. The Public Prosecutor,
High Court, Madras.

Page 5 of 6



WEB COPY



K.RAJASEKAR, J.,

smn

CRL OP NO.2457 of 2026

05.02.2026

1/2