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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.2656 of 2025

S. Moses

.....Petitioner

Vs

State Rep by:

The Inspector of Police,
M-1 Madhavaram Police Station,
Chennai
Crime No.830 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.830 of 2025 on the file of the respondent police.

For Petitioner: Mr.A. Karunakaran

For Respondent: Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.11.2025 for the alleged offence punishable under Sections 126(2), 296(b), 115(2), 74,75,76,79, 351(2) of Bns r/s 4 of TNPWH Act in Crime No.830 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that when the defacto complainant went to the xerox shop the petitioner pulled her hands and attempted to molest her. Hence, the respondent police has registered a case against the petitioner and the petitioner was arrested .

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he is in judicial custody since 18.11.2025. He further submitted that the petitioner is ready to co-operate with the investigation and abide by any other stringent conditions that may be imposed by this Court. 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 that the petitioner pulled the hands of the defacto complainant and molested her and the petitioner has been arrested on 18.11.2025 and there are three 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.



6. Considering the submissions of the learned counsel on either side, the fact that petitioner is in judicial custody from 18.11.2025 and further incarceration is not necessary and also considering the other factors, 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 District Munsif -Cum Judicial Magistrate Court at Madhavaram* 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



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**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];



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[f] If the accused thereafter absconds, a fresh

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

05.02.2026

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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 ***District Munsif -Cum Judicial Magistrate Court at Madhavaram***
- 2.The Inspector of Police,
M-1 Madhavaram Police Station,
Chennai
- 3.The Superintendent,
Central Puzhal Prison, Chennai Distirct
- 4.The Public Prosecutor,
High Court, Madras.

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K.RAJASEKAR, J.,

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