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CRL OP No. 2986 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2986 of 2026

Syed Nijam

..Petitioner(s)

Vs

State

The Inspector of Police,
K-1 Police Station, Sembium,
Chennai.

Crime No.14 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to release the petitioner on bail in Crime No.14 of 2026 on the file of the respondent police and pass such further or other orders

For Petitioner(s): M/s.A.S.Sujith

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.01.2026 for the offences punishable under Section 75, 296(b), 351(2) of BNS, 2023 in Crime No.14 of 2026, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, in a drunken state, intercepted the defacto complainant while she was travelling on a bus and misbehaved with her, intending to outrage her modesty. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and states that the petitioner gave sexual gesture to the defacto complainant in a bus and also misbehaved with the defacto complainant. He further submitted that there is no previous cases pending against the petitioner



and the investigation in this case is pending.

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5. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioner, the petitioner has no previous antecedents and the investigation in this case is pending, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned V Metropolitan Magistrate Court, Egmore, Chennai** and on further conditions that:

[a] 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 the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;



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[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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GBI

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.



1.State

Crime No.14 of 2026

3.The Central Prison, Puzhal-2, Chennai.

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