



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.6010 of 2026

Karuppasamy

... Petitioner

Vs.

State rep by
The Inspector of Police,
All Women Police Station,
Udumalpet, Tiruppur District.
(Crime No. 5 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.5 of 2026 on the file of the respondent police.

For Petitioner : M/s.G.Sujith

For Respondent : Mr. P. Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 75(1) of BNS, 2023 in Crime No.5 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner is running a fruits and vegetable shop and the victim in this case was working as a sales executive. It is alleged that the petitioner misbehaved with her by touching inappropriately. Though she rejected his behaviour, the petitioner continued the same. Unable to tolerate the same, she informed to other staff members and thereafter lodged a complaint. Hence, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner had already given a complaint before the Udumalpet Police Station on 26.01.2026 in this regard, as a counter blast to the said complaint, the present complaint has been lodged against him. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioner has no previous case pending against him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

6. From the submissions made by the learned counsel for the petitioner, it appears that the defacto complainant was an employee under the petitioner



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and that she had committed misappropriation for a sum of Rs.12 lakhs. In this connection, the petitioner had given a complaint before the Udumalpet Police Station on 26.01.2026. It is the contention of the petitioner that the present complaint has been lodged as a counterblast to the said complaint. The learned counsel for the petitioner submitted that there is video evidence to demonstrate that the defacto complainant has committed the misappropriation.

7. Though the learned Government Advocate(Crl.Side) strongly objected to the said contentions and submitted that the allegations are serious in nature, considering the fact that the complaint given by the petitioner before the Udumalpet Police Station is dated 26.01.2026 and that the matter is pending, this Court is of the view that custodial interrogation of the petitioner is not required at this stage. Taking into account the earlier complaint given by the petitioner on 26.01.2026 and considering the fact that no further custodial interrogation is required at this length of time, this Court is inclined to enlarge the petitioner on anticipatory bail with certain conditions.

8. 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 **learned Judicial Magistrate No.I, Udumalpet**, 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 learned 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 Concerned Judicial Magistrate daily at 10.30 a.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.

09.03.2026

DRL



To

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1.The Judicial Magistrate No.I,
Udumalpet.

2.The Inspector of Police,
All Women Police Station,
Udumalpet, Tiruppur District.

3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

DRL

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