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CRL OP No. 6098 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6098 of 2026

S.Ahmed

..Petitioner(s)

Vs

State by
Inspector of Police,
W6 All Women Police Station,
Ayanavaram, Chennai.
Cr.No.23 of 2025.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to grant anticipatory bail to the petitioner in Cr.No.23 of 2025, dated 31.12.2025, on the file of respondent police for the offences punishable under Sections 74, 75(2), 351(2) of BNS 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

For Petitioner(s) : Mr.F.Camilus Selva

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

For Intervenor : Mr.G.Dhayashankar

ORDER

The petitioner apprehends arrest for the alleged offence under Section 74, 75(2) and 351(2) of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 on the file of the respondent police seeks anticipatory bail.



2. It is the case of the prosecution that the petitioner is an aged person and the de facto complainant who is working as a Manager in the petitioner's company is looking after the day to day activities of the petitioner's company. Subsequently, the petitioner gave sexual harassment to the de facto complainant and also threatened her that he would do away her husband, if she discloses the behaviour of the petitioner to everyone. Hence, the present complaint.

3. The learned counsel for the petitioner submits that the petitioner is suffering from mental health issues and is undergoing treatment for the same and during the course of such treatment, the petitioner entrusted the management of his business and management to his son. He further submits that upon taking charge, the petitioner's son discovered certain acts of misappropriation allegedly committed by the de facto complainant, and when the same was questioned, the present case has been falsely foisted upon the petitioner. He further submits that the alleged occurrences are stated to have taken place during the months of March and August, 2025, whereas the First Information Report was registered on 31.12.2025, thereby indicating an unexplained delay. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and the petitioner is ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned counsel for the intervenor contended that the petitioner had misbehaved with the de facto complainant which has been evidently substantiated before the Police. Therefore, if the petitioner is enlarged on anticipatory bail, it would cause mental trauma thereby affecting the life and welfare of the de facto complainant. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.Side) reiterated the submissions made by the learned counsel for the intervenor and fairly submits that there are no previous cases pending against the petitioner.

6. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl.Side) for the respondent and the learned counsel for the intervenor and perused the materials available on record.

7. From the records submits by the learned counsel for the petitioner, it is seen that, the petitioner is undergoing treatment for his mental health issues. As rightly pointed out by the learned counsel for the petitioner, the incident was said to have taken place during the months of March and August, 2025, however the First Information Report was registered on 31.12.2025 which indicate a delay. Hence, at this length of time, custodial interrogation of the petitioner is not required and taking note of the fact that there are no previous



cases registered against the petitioner, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions.

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8. Accordingly, the petitioner is ordered to be released on anticipatory 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 ready, before **the learned Metropolitan Magistrate, Additional Mahila Court, Egmore Chennai**, on condition that **the petitioner shall execute 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 Magistrate concerned, and on further conditions:

(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 sign before the respondent police twice a day at 10.30 a.m., and 5.30 p.m., until further orders;

(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.

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To

1. The Metropolitan Magistrate, Additional Mahila Court, Egmore Chennai.
2. The Inspector of Police,
W6 All Women Police Station,
Ayanavaram, Chennai.
3. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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