



WEB COPY

CRL OP No. 5950 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5950 of 2026

Abhilash S/o.Thayunni,
No.3/109, Parakkattuchalla,
Nanniode, Pattancherry,
Palakkad, Kerala - 678534.

..Petitioner(s)

Vs

State represented by:

The Inspector of Police,
Hosur Railway P.S,
Krishnagiri District.
[Cr.No.23/2026]

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in Crime No.23 of 2026 on the file of the respondent/police.

For Petitioner(s): Mr. M.P.Saravanan

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.02.2026 for the alleged offence under Section 75 of B.N.S. and Section 4 of TNPHW Act in Crime No.23 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that while the defacto complainant was travelling in a train along with her family, the petitioner misbehaved with her and sexually harassed her. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely foisted in the present case and that he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and objected to grant bail to the petitioner. However, he fairly submits that the petitioner has no previous cases.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submissions made by the learned Government Advocate (Criminal side), this is a case of misbehaviour with a victim. No doubt, the same would cause great shock to the victim, however looking at the factual



position that the petitioner has been under incarceration from 24.02.2026 and considering the fair submission of the learned Government Advocate that the petitioner has no bad antecedents, this Court is inclined to grant bail to the petitioner, subject to the following stringent conditions:

7. 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 **Judicial Magistrate No.II, Hosur** 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 twice at 10.30 a.m. and 5.30 pm. until further orders;

[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 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]:

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

09-03-2026

MJS

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 No.II, Hosur.
2. The Inspector of Police, Hosur Railway P.S, Krishnagiri District.
3. The Superintendent of Police, Central Prison, Salem.
4. The Public Prosecutor, High Court of Madras.



WEB COPY

CRL OP No. 5950 of 2



C.KUMARAPPAN, J.

MJS

CRL OP No. 5950 of 2026

09-03-2026