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CRL OP No. 12037 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12037 of 2026

R.Prasanth

..Petitioner(s)

Vs

The State of Tamil Nadu Rep. By,
Inspector of Police
R.7, K.K.Nagar Police station,
Chennai District.
(Crime No.109 of 2026)

..Respondent(s)

PRAYER: - The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to enlarge the petitioner/ Accused on bail in Crime no.109/2026 pending on the file of the Respondent Police, and pass such further or other orders as this Honourable court may deem fit and thus render justice

For Petitioner(s): Mr.S.Sathish Kumar

For Respondent(s): Mr.R.Vinothraja
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.04.2026 for the alleged offence under Sections 74, 75(1), 296(b) and 351(3) of Bharatiya Nyaya Sanhita(BNS) 2023 and Section 4 of Tamil Nadu



Prohibition of Harassment of Woman (Amendment) Act, 2002, in Crime No.109 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on 18.04.2026 at about 19.00 hours, the defacto complainant lodged a complaint before the respondent police stating that she and her husband were working as sanitary workers under a private concern in Ward No. 128, and that the petitioner, who was their Supervisor, had been harassing her by making phone calls, making sexually coloured gestures, demanding sexual favours, and threatening her with dire consequences. Based on the said complaint, the respondent police registered a case in Crime No. 109 of 2026 at 19.00 hours for the offences under Sections 74, 75(1), 296(b), and 351(3) of the Bharatiya Nyaya Sanhita, 2023, and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002. Hence, this case.

3. The learned counsel for the petitioner submitted that the petitioner has not committed the alleged offences. As per the FIR, the alleged occurrence took place on 03.04.2026 at 08.30 a.m., whereas the complaint was lodged only on 18.04.2026 and the FIR was registered at 19.00 hours on the same day. Further,



the FIR reached the learned XXIII Metropolitan Magistrate Court, Saidapet, only on 19.04.2026 at 19.00 hours. According to the learned counsel, there is no explanation for the delay in lodging and forwarding the FIR, which creates suspicion regarding the prosecution case. The complaint is alleged to have been lodged falsely at the instigation of a former employee of the said company.

4.The learned Government Advocate (Crl. Side) submitted that the defacto complainant and her husband were working as sanitary workers under a private concern in Ward No.128, and that the petitioner, who was their Supervisor, had harassed the defacto complainant by making phone calls, making sexually coloured gestures, demanding sexual favours, and threatening her with dire consequences. Since it is a recent arrest, he strongly opposed the grant of bail.

5.Heard both sides and perused the materials available on record.

6.Considering the rival submissions and the nature of the offence, the period of incarceration undergone by the petitioner, and the fact that no previous case is pending against him, this Court is inclined to grant bail to the petitioner, subject to the following conditions :



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[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **XXIII Metropolitan Magistrate Court, Saidapet** and on further conditions that:

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of thirty (30) days;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
SSR

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.



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To

- 1.The Judicial Magistrate,
XXIII Metropolitan Magistrate Court, Saidapet.
- 2.The Inspector of Police
R.7, K.K.Nagar Police station,
Chennai District.
- 3.The Public Prosecutor,
High Court, Madras.
- 4.The Superintendent,
Puzhal Central Prison.



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P.DHANABAL, J.

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