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Crl.O.P.No.12916 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2026

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.12916 of 2026

Dhamotharan @ Siva
S/o. Kumarasamy
No.152, 1st Street,
Mullaipattu Road,
M.G.R.Nagar, Arni,
Tiruvannamalai District.

... Petitioner

Vs.

The State Rep. by:
The Sub-Inspector of Police,
Arni Town Police Station,
Tiruvannamalai District.
Crime No.93 of 2026.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023
pleaded to enlarge the petitioner on bail in the event of arrest in Crime No.93
of 2026 on the file of the respondent police station.

For Petitioner : Mr.E.Sathiyaraj
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest in the hands of the respondent
police for the offences punishable under Sections 296 (a), 296 (b), 75 (1) (i),
75 (2), 79, 115 (2) of BNS Act (Corresponding Sections 294 (b), 354 (A),



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509, 323 of IPC) and Section 4 of TNPHW Act in connection with Cr.No.93

of 2026, seeks anticipatory bail.

2 The case of the prosecution is that the petitioner sexually harassed the defacto complainant, abused her in filthy language, attacked the defacto complainant and threatened her with dire consequences. Hence, the case was registered.

3 The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that it is a case in counter. Hence, he seeks anticipatory bail.

4 The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that there is no previous case pending as against the petitioner and the injured has been discharged from the Hospital.

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



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6 Considering the nature of the offence and the fact that the injured was discharged from the hospital and no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7 Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate, Arni, Tiruvannamalai** on condition that the petitioner shall 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 Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police, **on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.**

[b] 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;

[c] the petitioner shall not leave India without the previous permission of the Court;

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



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

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

14.05.2026

dh

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 official website of this Court will be watermarked and will also have a QR code.



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To

1. The Judicial Magistrate,
Arni, Tiruvannamalai.
2. The Sub-Inspector of Police,
Arni Town Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

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