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CRL OP No. 14505 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 09-06-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 14505 of 2026**

A.C.Mathivanan

..Petitioner(s)

Vs

The State Rep.by, The Inspector of Police,  
Katpadi Railway Police Station,  
Vellore District.  
Cr.No.36 of 2026.

..Respondent(s)

**PRAYER :** Criminal Original Petition filed under Section 483 of the Bharatiya  
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in  
Cr.No.36 of 2026 on the file of the Respondent Police.

For Petitioner(s):

M/S. M.Sathish Kumar

For Respondent(s):

Mr.S.Yogaraja Sekar

Government Advocate (Criminal side)

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on  
26.04.2026 for the alleged offences under Section 75 of the Bharatiya Nyaya  
Sanhita, 2023, r/w Section 4 of the Tamil Nadu Prohibition of Harassment of  
Women Act, in Crime No.36 of 2026 on the file of the respondent police, seeks  
bail.

2. The case of the prosecution is that the petitioner has inappropriately  
touched the defacto-complainant during midnight while travelling in train.  
Hence the case.



3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 26.04.2026. He further submitted that at midnight, after attending to the call of nature, the petitioner mistakenly entered the wrong seating bay instead of his allotted seat while returning. He contended that this act was purely accidental and not an intentional. Therefore, he prayed for the grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner.

5. Considering the defence raised by the petitioner, his age, and his long incarceration since 26.04.2026, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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, (Additional Mahila), Vellore** and subject to the following conditions:



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[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 respondent Police daily morning at 10.30 a.m. and evening at 5.30 p.m. for a period of two weeks; thereafter as and when required;**

[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 take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

**[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.**

**09-06-2026**

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**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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**C.KUMARAPPAN, J.**

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To

1.The Judicial Magistrate (Additional Mahila)  
Vellore.

2.The Superintendent of Prison,  
Central Prison, Vellore, Vellore District.

3.The Inspector of Police,  
Katpadi Railway Police Station,  
Vellore District.

4.The Public Prosecutor  
High Court of Madras.

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