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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.10.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.30752 of 2026

CNR: {HCMA012562842026}

Surya @ Sadasurya ..Petitioner

Vs

The State Rep. by, The Inspector of Police,
A.Pallipatti Police Station, Dharmapuri District.
Crime No.128 of 2026.

..Respondent

PRAYER: To enlarge the Petitioner on bail in connection with the above said Cr.No.128 of 2026 on the file of the Respondent Police and thus render justice.

For Petitioner : Mr.V.Vasudevan
For Respondent : Mrs.R.S.Indira,
Additional Public Prosecutor.

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.10.2026 for the alleged offences punishable under Sections 332 and 75 of the Bharatiya Nyaya Sanhita (BNS), 2023 (Corresponding to Sections 452 and 354A of IPC), and Section 4 of the Tamil Nadu Prohibition of Harassment of Women (TNPHW) Act, in Crime No.128 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 28.09.2026 at about 10:00 A.M., the petitioner criminally trespassed into the dwelling house of the defacto complainant under the pretext of inquiring about a mobile phone.

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Taking advantage of the situation when the defacto complainant went into the bedroom to attend to her crying child, the petitioner stalked her, bolted the door from inside, and subjected her to sexual harassment by physical contact. When the defacto complainant screamed, the petitioner fled from the scene. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent of the allegations and has been falsely implicated. He further submitted that the petitioner and the defacto complainant are relatives and the present complaint arises out of a domestic misunderstanding. He added that the petitioner has been in judicial custody since 01.10.2026, and since the investigation is largely completed, he may be enlarged on bail.

4. The learned Additional Public Prosecutor appearing for the respondent state strongly opposed the grant of bail, citing the gravity of the offence committed against a woman inside her residential home. He, however, accepted that the parties are related to each other.

5. Hearing the learned counsel on either side and perusing the materials available on record, it is noted that the petitioner and the defacto complainant are closely related and the dispute appears to stem from a domestic issue. Considering the family relationship between the parties, the period of incarceration undergone by the petitioner from 01.10.2026, and the progress of the investigation, this Court is inclined to grant bail to the petitioner.

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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 **District Munsif Cum Judicial Magistrate Court, Pappireddipatti, Dharmapuri District,** and on further conditions that:

[a] the sureties shall affix his 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 his identity;

[b] the petitioner shall report before the respondent police daily at 10:30 A.M. 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, and shall not maintain any contact with the witnesses to the occurrence, the officials dealing with the case, or any other person who might be connected to the occurrence;

[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];**

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

23.10.2026

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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.

To

1. The District Munsif Cum Judicial Magistrate Court, Pappireddipatti, Dharmapuri District.

2. The Superintendent,
Sub Jail Harur, Dharmapuri District.

3. The Inspector of Police,
A.Pallipatti Police Station,
Dharmapuri District.

4. The Public Prosecutor,
High Court of Madras.

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