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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 OP No. 30770 of 2026

Arun Kumar,
S/o.Muthukrishnan,
No.50/14 Visagathottam,
Saidapet,
Chennai-600 015. ...Petitioner/Accused

Vs

The State represented by its,
The Inspector of Police,
W-26 All Women's Police Station, Ashok Nagar,
Ashok Nagar, Chennai-600 083. ...Respondent/Complainant
(Crime No.29 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge this petitioner / accused herein on bail in Crime No.29 of 2026 on the file of the respondent/complainant i.e., on the file of the Inspector of Police, W-26, All Women's Ashok Nagar Police Station, Chennai.

For Petitioner(s): Mr.S.Mohan Raj
For Respondent(s): Mr.M.M.I.Khaleel,
Govt.Advocate (Crl.Side)

O R D E R

The Petitioner, who was arrested and remanded to judicial custody on 07.10.2026 for the alleged offence under Section 75(2) of B.N.S.2023, in Crime No.29 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the proseuction is that while the de-facto complainant was sleeping at her sister's house, where her sister was away on night duty, the petitioner, who is her brother-in-law, allegely approached her and misbehaved with her by touching her inappropriately. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 07.10.2026. He further submitted 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. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the investigation is nascent stage. Hence, he opposed the grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

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6. Considering the facts and circumstances of the case, the nature of the serious allegations and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain 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 XXIII Metropolitan Magistrate, Saidapet, Chennai 600 015,** 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 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;
>
> [e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in acc with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial

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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.

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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 XXIII Metropolitan Magistrate,
Saidapet, Chennai 600 015.

2.The Inspector of Police,
W-26 All Women's Police Station, Ashok Nagar,
Ashok Nagar, Chennai-600 083

3.The Superintendent,
Puzhal Prison Jail, Chennai.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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