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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.30922 of 2026**

*CNR: {HCMA012564542026}*

S.Aafiq Ahamed ..Petitioner

Vs

The State Rep By the Inspector of Police,
Kundrathur Police Station,
Kancheepuram District.
Crime No.518 of 2026. ..Respondent

**PRAYER:** To enlarge the petitioner on bail in connection with Crime No.518 of 2026 on the file of the Respondent Police, Kundrathur and pass such further order or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.K.Kalaikovan
For Respondent : Mrs.R.S.Indira,
Additional Public Prosecutor.

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 24.09.2026 for the alleged offences punishable under Section 79 of the Bharatiya Nyaya Sanhita (BNS), 2023, read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women (TNPHW) Act, in Crime No. 518 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that during the course of a journey in a booked taxi driven by the petitioner from Kundrathur to Pallavaram, a dispute



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arose between the petitioner and the defacto complainant over a comment made during transit. Following the incident, the defacto complainant contacted the emergency police helpline, leading to the intervention of the Pallavaram police. Hence, the registration of the case against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an Ola taxi driver and is innocent of the allegations. He further submitted that the dispute arose out of a trivial misunderstanding and the petitioner has already tendered his apology to the defacto complainant, including a written apology at the police station. He added that the petitioner has been languishing in judicial custody since 24.09.2026 and that his further custodial interrogation is not necessary.

4. The learned Additional Public Prosecutor appearing for the respondent state opposed the grant of bail, citing the nature of the allegations involving the harassment of a female passenger in a commercial vehicle. He, however, conceded the fact that the petitioner had co-operated with the initial inquiry at the police station.

5. Hearing the learned counsel on either side and perusing the materials available on record, it appears that the dispute originated from an altercation during a taxi transit, and the petitioner has already submitted a written apology at the station. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioner from 24.09.2026, and the progress of



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the investigation, this Court is inclined to grant bail to the petitioner.

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 Court at Sriperumbudur,** 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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**N.RAMESH**

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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**

kmm

**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 Judicial Magistrate Court at Sriperumbudur.

2. The Superintendent, Central Prison, Puzhal.
3. The Inspector of Police, Kundrathur Police Station, Kancheepuram District.
4. The Public Prosecutor,
High Court of Madras.

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