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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34352 of 2026

CNR: {HCMA012772902026}

Essakiarun
S/o.Udhayabaskar,
Presently Confined at Central Prison,
Coimbatore.

Case QR

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police
Sundharapuram Police Station,
Coimbatore District.
Cr.No.273/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Cr.No.273 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.T.Rajasekaran

For Respondent(s): Mr.M.M.I. Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.08.2026 for the alleged offences punishable under Sections 75(2) and 78(2) of BNS, 2023 in Crime No. 273 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that, when the defacto complainant was chatting with her friend near a xerox shop, the petitioner allegedly came there in a two-wheeler and sexually harassed her by touching her private parts. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case, and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, and hence, prayed for the grant of bail.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the investigation completed and the charge sheet filed and that the petitioner has no previous case pending against him. 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.

6. It is a case of assault, harassment and stalking of a young woman. According to the prosecution on 01.08.2026, the petitioner came on a two-

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wheeler to a xerox shop, where the defacto complainant, a student worked part time, touched her private parts and asked for sexual favours. He came back again on the same day and did the same again. The petitioner was arrested on 03.08.2026 and has been in judicial custody since then. The investigation completed and the charge sheet filed. Considering the above facts and circumstances of the case and the period of incarceration already 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 Jurisdictional Court, Madukkarai, Coimbatore,** 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., for a period of 30 days and thereafter as and when required for interrogation;**
>
> [c] the petitioner shall not abscond either during investigation or trial;

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[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 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];**

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

24-11-2026

DRL

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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To

1. The Jurisdictional Court, Madukkarai, Coimbatore.

2. The Inspector of Police
Sundharapuram Police Station,
Coimbatore District.

3.The Superintendent, Central Prison,
Coimbatore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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