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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34645 of 2026

Essakiarun,
S/o.Udhayabaskar
Presently confined at Central Prison, Coimbatore.
...Petitioner/Accused

Vs

The State Rep.by
The Inspector of Police,
Sundharapuram Police Station,
Coimbatore District. ...Respondent/Complainant
(Crime No.274 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.274 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.X.Jeeva

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 03.08.2026 for the alleged offence under Sections 75(2) and 78(2) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.274 of 2026 on the file of the respondent police, seeks bail.

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2. It is a case of sexual harassment. According to the prosecution, on 01.08.2026, the petitioner came near the complainant's Xerox shop on a two-wheeler, touched her inappropriately and sought sexual favours. On the same day, he returned to the shop and allegedly repeated the same act. Hence, on the complaint lodged by the de-facto complainant, the FIR was registered.

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 03.08.2026. He also 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 petitioner had repeatedly sexually harassed the de-facto complainant by touching her inappropriately and seeking sexual favours. He further submitted that the petitioner repeated the same act on the very same day. He also further submitted that the investigation is still pending. Hence, he stronlgy opposed the grant of bail to the petitioner.

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

6. Considering the facts and circumstances of the case, the nature of the allegations and the period of custody, 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 Judicial Magistrate-1, Namakkal,** 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;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

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[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.

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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 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.

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