Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34700 of 2026

CNR: {HCMA012836512026}

Case QR

V.Prabhu Kumar
S/o Viswanathan,
No.12, Ramaswamy Raja Street,
Arumbakkam,
Chennai.

..Petitioner(s)

Vs

The State Rep by the Inspector of Police
K-8, Arumbakkam Police Station,
Chennai,
Crime no.550 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on regular bail in connection with Crime no.550 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.N.Ezhumalai for E.Balamurugan
For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.11.2026 for the alleged offences punishable under Sections 75(1)(ii), 75(1)(i)(iv), 78(1)(i) and 79 of BNS, 2023, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.550 of 2026 on the file of the respondent police, seeks bail.

https://www.mhc.tn.gov.in/judis

WEB COPY

2. The case of the prosecution is that it is a case of sexual harassment of a woman, and the present petition has been filed by the second accused (A2). According to the prosecution, on 09.11.2026, when the de facto complainant, who is working as a hotel cashier, was proceeding towards the lift, two men followed her, passed vulgar and derogatory remarks against her, invited her to a room, and asked her "rate for the night." When the hotel security staff intervened, the accused abused them as well and fled the scene in a car. Based on the complaint lodged by the victim, a case was registered, and the petitioner was arrested and remanded to judicial custody on 14.11.2026.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person, has been falsely implicated in this case, and has not committed any offence as alleged by the prosecution. He would further submit that the petitioner has been in judicial custody since 14.11.2026. Submitting that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, he prayed for the grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police strongly opposed the grant of bail. Upon instructions, he reiterated the prosecution case and submitted that the allegations against the petitioner are serious in nature involving outraging the modesty of a working woman, and that the investigation is still at a nascent stage. Stating that

https://www.mhc.tn.gov.in/judis

WEB COPY

the petitioner may tamper with the witnesses or threaten the de facto complainant if released on bail, he prayed for dismissal of the petition.

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

6. Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioner, the period of incarceration undergone by the petitioner from 14.11.2026, and the stage of investigation, this Court is inclined to enlarge the petitioner on bail, subject to certain stringent conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Vth Metropolitan Magistrate, Egmore, Chennai,** 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 15 days and thereafter as and when required for interrogation;**

https://www.mhc.tn.gov.in/judis

WEB COPY

[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 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.

26-11-2026

MPA

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.

https://www.mhc.tn.gov.in/judis

WEB COPY

To

1.The Vth Metropolitan Magistrate, Egmore,
Chennai.

2. The Inspector of Police
K-8, Arumbakkam Police Station,
Chennai.

3.The Superintendent, Central Prison,
Puzhal.

4.The Public Prosecutor,
High Court, Madras.

https://www.mhc.tn.gov.in/judis

WEB COPY

N.RAMESH, J.

MPA

CRL OP No. 34700 of 2026

26-11-2026

https://www.mhc.tn.gov.in/judis