



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.35830 of 2025

P.Ilamurugu

... Petitioner

Vs.

State Rep. by the Inspector of Police,
G-3, Kilpauk Police Station,
Chennai – 600 010.
(Crime No.289 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita of BNS, 2023, to enlarge the petitioner on bail in
Crime No.289 of 2025 on the file of the respondent police.

For Petitioner : Mr.G.Kartheeban

For Respondent : Ms.J.R.Archana,
Government Advocate (Crl. Side).

ORDER

The petitioner, who was apprehending arrest at the hands of the
respondent police for the offences punishable under Sections 75(2) of BNS
Act, 2023, in Crime No.289 of 2025, seek anticipatory bail.



2. The allegation against the petitioner is that he contacted the defacto complainant over phone, made sexually coloured remarks, and repeatedly called her, which allegedly compelled the defacto complainant to lodge the present complaint.

3. The learned counsel for the petitioner would submit that the petitioner is aged about 65 years and he has no sexual intention and a false case was foisted against him.

4. The learned Government Advocate (Crl Side) reiterated the prosecution case and submitted that the investigation is still pending in progress. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsels on either side and perused the materials available on record.

6. I have considered the submissions made by the learned counsel on either side and perused the materials available on record. From the FIR, it is alleged that the petitioner attempted to sexually harass the victim over the phone. It is also seen that there is no previous case pending against the petitioner. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days



from the date on which the order copy made ready, before the **learned II Metropolitan Magistrate Court, Egmore, Chennai**, on condition that **the petitioner shall execute 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 Magistrate concerned, and on further conditions:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] 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 their identity;

[c] **the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;**



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K.RAJASEKAR, J.

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[d] 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]**;

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

07.01.2026

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To

1. The II Metropolitan Magistrate Court, Egmore, Chennai.
2. The Inspector of Police,
G-3, Kilpauk Police Station,
Chennai – 600 010.
3. The Public Prosecutor,
High Court of Madras.

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