



CRL OP(MD). No.313 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

(Criminal Jurisdiction)

Date : 27/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.313 of 2026

Shenbagam

... Petitioner/Accused

Vs

State of Tamilnadu, Rep by,
The Inspector of Police,
Achanpudur Police Station,
Tenkasi District.
Crime No.315/2025.

... Respondent/Complainant

For Petitioner : R.J.Karthick,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-38B.For Bail in Crime No.315/2025 on the file
of the respondent police

ORDER : The Court made the following order :-



CRL OP(MD). No.313 of 2026

WEB COPY The petitioner, who was arrested and remanded to judicial custody on 26.12.2025 for the offences punishable under Section 75 (2) of Bharatiya Nyaya Sangita (corresponding IPC provisions is 354 A) and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.315 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner sexually harassed the de-facto complainant by saying that her husband is under sick condition and caused sexual torture. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 26.12.2025. Hence, he seeks bail to the petitioner.



CRL OP(MD). No.313 of 2026

4. The learned Additional Public Prosecutor submitted that the petitioner has two previous cases and the petitioner and the husband of the defacto complainant are bar mates. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Shencottai, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure



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CRL OP(MD). No.313 of 2026

their identity;

[b] the petitioner shall stay away from the place of occurrence and he shall not intimidate or threaten the defacto complainant and shall not enter into her house or street or working place; the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

[d] the petitioner shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned



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CRL OP(MD). No.313 of 2026

Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

27.01.2026

PJL

TO

1. Judicial Magistrate, Shencottai.
2. Do-Through The Chief Judicial Magistrate, Tenkasi District.
3. The Superintendent, Sub Jail, Tenkasi.
4. The Inspector of Police, Achanpudur Police Station, Tenkasi District.
5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.313 of 2026

S.SRIMATHY, J

PJL

ORDER
IN
CRL OP (MD) No.313 of 2026

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