



CRL OP(MD). No.10159 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Thangasamy

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
Devakottai Town Police Station, Sivagangai District.
(Crime No.114 of 2026).

... Respondent/Complainant

For Petitioner : Mr.A.Balaji,

For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.114 of 2026 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 21.05.2026 for the offences punishable under Sections 75(2) of BNS and Section 4 of TNPHW Act in Crime No. 114 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 18.05.2026 at about 02.45 p.m., the defacto complainant was travelling alone in an auto-rickshaw driven by the petitioner, during which the petitioner allegedly subjected her to sexual harassment. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that it is alleged that the occurrence took place on 18.05.2026, but the FIR was registered only on 20.05.2026. The petitioner has been arrested and remanded to judicial custody on 21.05.2026. Therefore, prayed to grant bail for the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing

for the respondent would submit that based on the complaint lodged by the defacto complainant, the case has been registered against the accused. Though the petitioner has no previous cases, considering the stage of investigation and the nature of grave offence, he strongly opposed to grant bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offence and the fact that, according to the FIR, the occurrence is alleged to have taken place on 18.05.2026, whereas the complaint was lodged by the defacto complainant only on 20.05.2026, which indicates a delay in the registration of the FIR and further considering the fact that the petitioner has no previous cases to his credit, as well as the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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*[a] Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate, Devakottai**, and on further conditions that:*

*[b] the petitioner shall report before the **respondent police at 10.30 a.m., for a period of thirty days** and thereafter as and when required for interrogation.*

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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[f] On breach of any of the aforesaid conditions, the learned Judicial 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 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)AIR SCW 5560].

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

(P D B J)
04.06.2026

PNM

TO

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

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P. DHANABAL,J

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ORDER
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