
(2025) 11 MAD CK 0032

Madras HC

Case No: Criminal Original Petition No. 30449 Of 2025

Rajesh

APPELLANT

Vs

State

RESPONDENT

Date of Decision: Nov. 7, 2025

Acts Referred:

- Bharatiya Nyaya Sanhita, 2023-Section 75(2), 126(2), 269, 351(2)

Hon'ble Judges: K. Rajasekar, J

Bench: Single Bench

Advocate: K.Balasubramaniam, A.Gopinath

Judgement

K.Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 08.10.2025 for the alleged offence under Sections 126(2), 75(2), 351(2) of BNS, in Crime No.592 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant and the petitioner are residing in the same apartment. On the date of occurrence, the defacto complainant was standing in the terrace and at that time, the petitioner came there and sexually harassed her by touching her private part and thereby committed the offence. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is working in Aditya Birla Capital as Marketing Manager and there exists some dispute between the petitioner and the defacto complainant regarding usage of terrace in the apartment and due to which, the defacto complainant lodged a false complaint against the petitioner. The petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that he never indulged in any such activities as alleged and he is in judicial custody from 08.10.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the defacto complainant and the petitioner are residing in the same apartment. On the date of occurrence, the defacto complainant was standing in the terrace and at that time, the petitioner came there and sexually harassed her by touching her private part.

He would further submit that the investigation in this case is still pending.

Hence, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration, the fact that the petitioner is in Judicial Custody from 08.10.2025, there is no previous case against the petitioner, this Court is inclined to grant bail to the petitioner.

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, for a like sum to the satisfaction of the learned Judicial Magistrate, Additional Mahila Court, Coimbatore, and on further conditions that:

[a] 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;

[b] 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;

[c] 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];

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