

(2026) 02 MAD CK 1799

In the Madras High Court

Case No : Criminal Original Petition No. 4703 Of 2026

Abdul Latheef

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 26-02-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 269, 296(b), 75(1)(i)
Tamil Nadu Prohibition Of Harassment Of Women Act, 1998 — Section 4

Citation : (2026) 02 MAD CK 1799

Hon'ble Judges : K. Rajasekar, J

Bench : Single Bench

Advocate : G.Vinodhkumar, A.Gopinath

Judgement

K. Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 11.02.2026 for the alleged offence punishable under Section 296(b), 75(1)(i) of BNS r/w 4 of TNPHW Act, in Crime No.62 of 2026 on the file of Respondent Police, registered on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that on 11.02.2026, at about 08.15p.m., while the de-facto complainant's daughter was travelling in a private bus boarded at Gudiyatham bus stand, the petitioner/accused behaved obscenely and used abusive language towards her. Hence, the case was registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is in incarceration from 11.02.2026 and he is ready to co-opearate for the investigation. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner does not

have any previous cases against him and that the investigation is still pending. Hence, he opposed the grant of bail to the petitioner.

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

6. Considering the submissions made by the learned counsel on either side, the nature of the allegations, considering the period of his incarceration, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

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 each, for a like sum to the satisfaction of the learned Judicial Magistrate, Gudiyatham, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the concerned Police Station, daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[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 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 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];

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