

(2026) 06 MAD CK 0430

In the Madras High Court

Case No : Criminal Original Petition No. 14500 Of 2026

Sanjay Shankar

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 09-06-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 75(1), 269

Tamil Nadu Prohibition Of Harassment Of Women Act, 1998 — Section 4

Citation : (2026) 06 MAD CK 0430

Hon'ble Judges : C.Kumarappan, J

Bench : Single Bench

Advocate : A.Thiyagarajan, T.David, S.Yogaraja Sekar

Judgement

C.Kumarappan, J

1. The petitioner, who was arrested and remanded to judicial custody on 17.05.2026 for the alleged offences under Sections 75 (1) of the Bharatiya Nyaya Sanhita, 2023 (BNS), and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.69 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 16.05.2026, at about 11.00 p.m. the petitioner misbehaved with a 31 year old female passenger, who is the defacto-complainant. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 17.05.2026. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and ready to co-operate for investigation. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner.

5. Although there are serious allegations against the petitioner, considering that a major portion of the investigation has likely been completed by this time, and considering the petitioner's long incarceration since 17.05.2026, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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, Additional Mahila Court, Coimbatore, and subject to the following conditions:

[a] the sureties shall affix their 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 respondent Police daily morning at 10.30 a.m. and evening at 5.30 p.m. until further orders;

[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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.