



CrI.O.P.No.27072 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.12 of 2024 registered for the offences punishable under Sections 318(2) & 64 of BNS, the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioner would submit that the petitioner and the defacto complainant are known to each other for more than 1 ½ years and that the relationship between them was consensual in nature. He also submits that due to difference of religion, the family members of the defacto complainant opposed the marriage and there was breakup. He further submits that it is not a case where the petitioner, solely with an intention of satisfying his lust, had relationship with the defacto complainant. Earlier, on the complaint given before the All Women Police Station, M.K.B Nagar, Chennai, an enquiry was conducted in C.S.R.No.494 of 2024 and the



petitioner was appeared for enquiry. After completion of enquiry, the First Information Report has been registered against the petitioner. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the defacto complainant is a Lab Technician and the petitioner on the assurance of marrying her, had sexual intercourse with her and later, he refused to marry her stating that they belong to different religions.

4.The learned counsel for the defacto complainant/Intervenor vehemently opposed for granting anticipatory bail to the petitioner stating that the petitioner had induced the defacto complainant on the false promise of marrying her and had sexual intercourse for a period of 1½ years and later, cheated her.



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5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and the learned counsel for the defacto complainant and perused the materials available on record including the statement of the defacto complainant recorded under Section 183 of BNSS, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned XIV Metropolitan Magistrate, Egmore, Chennai on condition that the petitioner shall 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent Police everyday at 10.30 a.m until further orders;



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[c] the petitioner shall not tamper with 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 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 of BNS.

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