



CRL OP NO. 1676 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1676 of 2025

Prasanna

S/O. Elango No. 2 18th cross street, Maharajanagar, Tirmelveli
-627011

Petitioner(s)

Vs

State Rep.By Its, The Inspector Of Police,
W33 All Womens police station, Virugambakkam, Chermali
District. (Cr.No. 36/2024)

Respondent(s)

For Petitioner(s):

Gokul G
Muthukumarasaamy
D. Jagajothi

For Respondent(s):

S.Santhosh
Government Advocate (criminal Side)
Madras High Court.

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 69 and 318(2) of BNS in Crime No.36 of 2024, on the file of the respondent police, seek anticipatory bail.

2. Learned counsel appearing for the petitioner would submit that the case of the consensual relationship has been falsely projected as case of rape. He further submitted that the petitioner



is innocent and he has not committed any offence, as alleged by the prosecution has been falsely implicated in this case. He would further submit that the petitioner is ready to

abide by any condition, that may be imposed by this Court and also to appear and co-operate

for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

3. The case of the prosecution as put forth by the learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner, is that the petitioner herein had cheated the defacto complainant on false assurance of marrying her. He further submitted that 183 of BNSS statement has been reordered from victim.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before **the learned Judicial Magistrate No.1,**

Poonamallee on condition that the petitioner shall execute separate bond for a sum of



Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like 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:

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- [a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;
- [b] the petitioner and 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;
- [c] the petitioner shall report before the respondent Police on everyday at 10:30 A.M., for a period of two weeks and thereafter every Saturday at 10.30 A.M., until further orders;**
- [d] the petitioner shall not tamper with evidence or witness either during the investigation or during the trial;
- [e] the petitioner shall not abscond either during the investigation or during the trial;
- [f] 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 was 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.



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msv

To

The Inspector Of Police,
W33 All Womens police station,
Virugambakkam,
Chennai District.