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Crl.OP.No.1302 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. No.1302 of 2025

S.Sridharan

... Petitioner

Vs.

State rep. by its The Inspector of Police,
SRMC-All Women Police Station,
Mangadu Police Station, Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS for granting anticipatory bail to the petitioner.

For Petitioner : Mr.L.Ramu

For Respondent : Mr.S.Santhosh
Government Advocate [Criminal Side]

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 69 of BNS 2023 in Crime No.1 of 2025, on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioner and the defacto complainant are college mates and they loved each other for the past 10 years and the petitioner on the promise of marrying the defacto complainant had physical relationship with the defacto complainant on several occasions and thereafter, refused to marry her. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the defacto complainant has lodged a false complainant against the petitioner in order to harass the petitioner. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner, on the promise of marrying the defacto complainant, had physical relationship with her and later refused to marry her.

5. Though the allegations made against the petitioner appears to be serious, on going through the First Information Report it is seen that there is consensus relationship between the petitioner and the defacto complainant and since custody of the petitioner is not going to serve any purpose and



custodial interrogation is not warranted in this case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned District Munsif cum Judicial Magistrate, Sriperumpathur** 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police everyday at 10.30 a.m. until further Orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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



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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 v. State of Kerala [(2005) AIR SCW 5560].

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

17.01.2025

vrc

To,

1. The District Munsif cum Judicial Magistrate,
Sriperumpathur.
2. The Inspector of Police,
SRMC-All Women Police Station,
Mangadu Police Station, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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G.R.SWAMINATHAN, J.

VTC

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