



WEB COPY



Crl.OP.No.6732 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.6732 of 2025

1. Manojkumar
2. Kumar
3. Gnanasoundari ... Petitioner(s) /Accused

Vs.

State rep. by
The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District. ... Respondent(s)/ Complainant
Crime No.60 of 2025
[Permitted to intervene vide order dated 19.03.2025
made in Crl.MP.No.5469 of 2025 in Crl.OP.No.6732 of 2025]

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in the event of their arrest by the respondent police in Crime No.60 of 2025.

For petitioner(s) : Mr.J.Pradeep
For Respondent(s) : Mr.S.Santhosh,
Government Advocate (Crl.Side)
For Defacto complainant : Mr.A.Kumar



Crl.OP.No.6732 of 2025

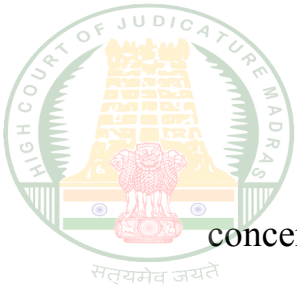
WEB COPY

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 69, 88 and 3(5) of BNS, 2023, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.60 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the first petitioner/ first accused and the defacto complainant were in a consensual relationship; that on the promise of marriage, the first petitioner had sexual intercourse with the defacto complainant; that when the defacto complainant became pregnant, the first petitioner compelled her to abort the child; and that the second and third petitioners abetted him in doing so.

3. The learned counsel for the petitioner would submit that there are no specific allegations against the second and third petitioners and that the allegations made against them are false and further submitted that he may be permitted to withdraw the petition insofar as the first petitioner is



concerned.

WEB COPY

4. The learned counsel for the defacto complainant submitted that the first petitioner had promised to marry the defacto complainant; that he took her to a hotel room, where he had sexual intercourse with her; and that he later compelled her to abort the child when she became pregnant.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and, on instructions, submitted that the first petitioner and the defacto complainant were in a consensual relationship; and that when the defacto complainant became pregnant, the first petitioner forced her to abort the child.

6. In view of the endorsement made by the learned counsel for the petitioners, this criminal original petition is dismissed insofar as the first petitioner is concerned.

7. The allegations are primarily against the first accused. The



WEB COPY

petitioners 2 and 3 are his parents. Considering the aforesaid facts, and since, custodial interrogation of the second and third petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the second and third petitioners with certain conditions.

8. Accordingly, the second and third petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Judicial Magistrate, Uthangarai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the 2nd and 3rd petitioners 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.



WEB COPY

[b] the 2nd and 3rd petitioners shall appear before the respondent police as and when required for interrogation by the respondent police;

[c] the 2nd and 3rd petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the 2nd and 3rd petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 BNS.



Crl.OP.No.6732 of 2025

19.03.2025

(2/2)

WEB COPY

Index : Yes/No

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No

Internet: Yes/No

skr

SUNDER MOHAN, J.

skr

To

1. The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.
2. The Public Prosecutor,
Madras High Court, Chennai.
3. Judicial Magistrate, Uthangarai.

Crl.OP.No.6732 of 2025



WEB COPY



CrI.OP.No.6732 of 2025

19.03.2025

(2/2)