



Crl.OP.No.7285 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 13.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7285 of 2025

1.Malarvizhi
2.Jayaraman

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
AWPS, Ponneri,
Thiruvallur District
(Crime No.01 of 2025)

.. Respondent

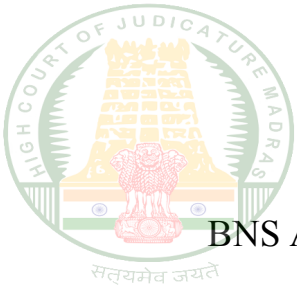
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of their arrest in Crime No.01 of 2025 on the file of the respondent
Police.

For Petitioners : M/s.P.Chandrasekar

For Respondent : Mr.S.Santhosh
Government Advocate(Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent
police for the offences punishable under Section 296(b), 69, 79, 351(3) of



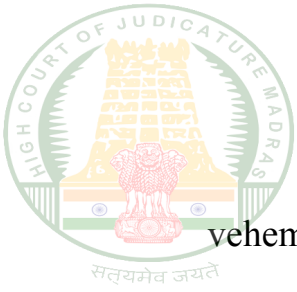
BNS Act 2023 in Crime No.01 of 2025, seek anticipatory bail.

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2. The case of the prosecution is that the defacto complainant aged 39 years, and the first accused, aged 31 years, had a love affair; that on the false promise of marriage, the first accused had sexual intercourse with the defacto complainant and both were in a relationship for a period of 9 years; that when the defacto complainant asked the first accused to marry her, the first accused refused; and that the petitioners, who are the parents of the the first accused, prevented the first accused from marrying the defacto complainant.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; that the petitioners have nothing to do with the alleged relationship between the first accused and the defacto complainant; that the said relationship was consensual; and hence, prayed for anticipatory bail to the petitioners.

4. The learned counsel appearing for the defacto complainant



vehemently opposed the grant of anticipatory bail to the petitioners, since the petitioners prevented the first accused from marrying the defacto complainant.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that the first accused and the defacto complainant had a consensual relationship for about 9 years and thereafter, the first accused refused to marry the defacto complainant; and that the petitioners are the parents of the first accused.

6. Admittedly, the first accused and the defacto complainant had a love affair for about 9 years and they were in a consensual relationship. It cannot be said that the defacto complainant was not aware of the consequences of her act. The petitioners are the parents of the first accused. Considering the aforesaid facts, the nature of allegations, and since, custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the



petitioners with certain conditions.

WEB COPY 7. Accordingly, the 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 No.I, Ponneri**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the 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.

[b] the petitioners shall appear before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the 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



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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.

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Index : Yes / No
Internet : Yes / No
dpa

To

1.The Inspector of Police,
AWPS, Ponneri,
Thiruvallur District

2. The Judicial Magistrate No.I,
Ponneri .

3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN , J.

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