



Crl.OP.No.7366 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.7366 of 2025

1.Aravinth

2.Chitra

3.Sakthivel

.. Petitioners/Accused 1 to 3

Vs.

The State rep by
The Inspector of Police,
AWPS-Neyveli Police Station,
Cuddalore District.
Crime No.9 of 2025

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners/Accused 1 to 3
on anticipatory bail in the event of his arrest in Crime No.9 of 2025 dated
26.02.2025 on the file of the respondent Police.

For Petitioners : Ms.P.Devi Sai Monica

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



CrI.OP.No.7366 of 2025

ORDER

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2. The case of the prosecution that the first petitioner and the defacto complainant had love affair for six years; that on the false promise of marriage, the first petitioner had sexual intercourse with the defacto complainant continuously; that the elders of the first petitioner's family had held a discussion and arranged the marriage of the first petitioner and the defacto complainant and thereafter, the first petitioner refused to marry the defacto complainant and his family also supported his decision and thus, committed the aforesaid offence.

3. The learned counsel for the petitioners would submit that the allegations against the petitioners are false; that in any case, there was a consensual relationship between the first petitioner and the defacto complainant and the allegation of cheating is not made out and since



Crl.OP.No.7366 of 2025

custodial interrogation of the petitioners is not required for the purpose of investigation and he sought for anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and confirming the fact it was a case of love affair between the first petitioner and the defacto complainant; that thereafter, the first petitioner refused to marry the defacto complainant; and that the petitioners 2 (mother) and 3 (brother) also supported the first petitioner.

5. Considering the fact that the first petitioner and the defacto complainant had a consensual relationship for a long period, the aforesaid facts, this Court is of the view that custodial interrogation of the petitioners is not required for the purpose of investigation and is inclined to grant anticipatory bail to the petitioners on certain conditions.



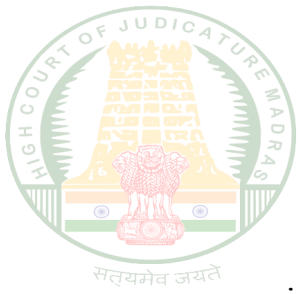
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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on thier appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned District Munsif cum Judicial Magistrate, Kurinjippadi** on condition that the petitioners shall execute a separate 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 first petitioner shall appear before the respondent police once in a week i.e., every Monday at 10.30 a.m., until further orders and the petitioners 2 and 3 shall appear before the respondent police as and when required;

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



CrI.OP.No.7366 of 2025

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[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 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 of B.N.S.

13.03.2025

Index : Yes / No

rkp

To

- 1.The Inspector of Police,
AWPS-Neyveli Police Station,
Cuddalore District.
- 2.The District Munsif cum Judicial Magistrate,
Kurinjiipadi.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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Crl.OP.No.7366 of 2025

SUNDER MOHAN, J.

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Crl.O.P.No.7366 of 2025

13.03.2025