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Crl.O.P.No.10084 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 10084 of 2025

Yukeshvaran

Petitioner(s)

Vs

The State Represented by,
Inspector of Police,
All Women Police Station,
Tiruchengode, Namakkal District.
(Crime No.04 of 2025)

Respondent(s)

For Petitioner(s) : Mr.P.Parthi Kannan

For Respondent(s) : Mr.S.Balaji,
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent in Crime No.04 of 2025 on the file of the Respondent.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Section 69 of BNS 2023, in Crime No.04 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the victim girl studied together at Mahendira Engineering College from 2016 to 2020; that the



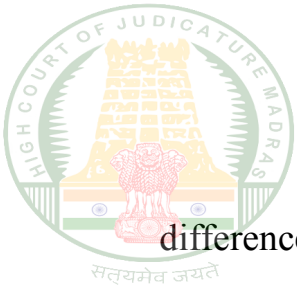
petitioner and the victim girl had a love affair; that on the false promise of marriage, the petitioner had sexual intercourse with the victim girl on several occasions and thereafter petitioner refused to marry her and thus committed the aforesaid offence.

3. Learned counsel for the petitioner submitted that even as per the complaint, the petitioner and the defacto complainant had a consensual relationship; that the victim girl was aware of the consequences of her act; and in any case, the custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case and confirms the fact that the petitioner and the victim girl had a consensual relationship; and that the petitioner refused to marry the victim girl.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

6. This Court, on perusal of the FIR finds that admittedly the petitioner and the victim girl had a consensual relationship since 2016, and that there was a



difference of opinion between them; and that thereafter the marriage did not take

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7. Considering the aforesaid allegations, the fact that the petitioner and the defacto complainant had a consensual relationship and the relationship later turned sour; this Court is of the view that the custodial interrogation of the petitioner is not required for the purpose of investigation. Therefore, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Tiruchengode, Namakkal District**, on condition that the petitioner 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and



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the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police twice in a week, at 10.30 a.m., until further orders.

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed 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 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.

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04-04-2025

To

1. The Inspector of Police,
All Women Police Station,
Tiruchengode, Namakkal District.
2. The Judicial Magistrate Court,
Tiruchengode, Namakkal District.

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