



Crl.O.P. No.9817 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 02.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P. No.9817 of 2025

Anadharaj

... Petitioner/ Accused

Vs.

The State Rep. By,
The Inspector of Police,
All Women Police Station,
Redhills, Chennai.
(Crime No.3 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.3 of 2025, pending investigation on the file of the respondent.

For Petitioner : Mr. A.Vijayasankar

For Respondent : M/s. J. R. Archana
Government Advocate (Crl. Side)



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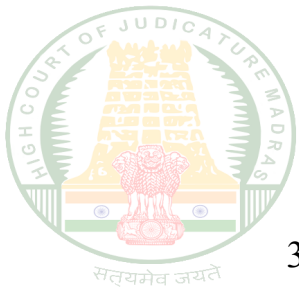


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ORDER

Petition seeking bail in respect of Crime No.3 of 2025 registered for the alleged offences punishable under Sections 294(b), 417, 354(c), 509, 420, 506(i) of IPC @ 296(b), 318, 77, 79, 351(2) of BNS, is on board for consideration.

2. The case of the prosecution is that the petitioner and the defacto complainant had a love affair; that on the pretext of marrying her, the petitioner had sexual intercourse with the defacto complainant on several occasions, due to which the defacto complainant became pregnant; that on instigation of the petitioner, the defacto complainant had aborted the child; that during their intimacy, the petitioner without the knowledge of the defacto complainant had videographed their intimacy; that thereafter, the petitioner refused to marry her and threatened her that he will upload the said videos on social media, thereby received a sum of 1,50,000/-. It is the further case of the prosecution that the petitioner had shown the defacto complainant obscene photos of his intimacy with other women.



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3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and the allegation are false; that it is the case of consensual relationship between the petitioner and the defacto complainant, who is aged about 22 years; that due to difference of opinion between them, a false complaint has been lodged by the defacto complainant; that the petitioner has been arrested and remanded to judicial custody on 05.03.2025; and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and ready to co-operate for the investigation and prayed for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instructions submitted that the mobile phone of the petitioner was seized, at the time of his arrest; that the respondent had not found any obscene photos or videos of the victim in his mobile phone; that the investigation revealed that there was a consensual relationship between the petitioner and the defacto complainant; and that the investigation is pending, hence opposed the grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case,



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considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side, the period of incarceration undergone by the petitioner and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Ponneri** and on further conditions that:

[a] 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 petitioner shall report before the respondent Police everyday at 10:30 a.m., until further orders;

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



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[d] the petitioner shall not tamper with evidence or witness 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.

02.04.2025

stn

To

1. The Judicial Magistrate No.II,
Ponneri.
2. The Inspector of Police,
All Women Police Station,
Redhills, Chennai.
(Crime No.3 of 2025)



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SUNDER MOHAN, J.

stn

3. The Superintendent,
Puzhal Jail.
4. The Public Prosecutor,
High Court of Madras.

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