



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.11689 of 2025

M.Venkatesan

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
W-5, Selaiyur AWPS,
Chennai.

(Cr.No.12 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 his arrest in relation to Crime No.12 of 2025 on the file of the
respondent police W-5, Selaiyur All Women Police Station.

For Petitioner : Mr.T.Pravin Kumar

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 69 of BNS Act, 2023 in
Crime No.12 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that, the defacto complainant aged about 32 years, was separated from her husband; that the petitioner on the promise of marriage had physical relationship with the defacto complainant, as a result of which, she became pregnant; that when the defacto complainant asked the petitioner to marry her, the petitioner had refused to marry her since she is four years older than the petitioner and thus committed the aforesaid offences.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that the defacto complainant was involved in case in Crime No.34 of 2024 under the NDPS Act and that in any case, since it is a case of consensual relationship, custodial interrogation of the petitioner is not required and prayed for anticipatory bail to the petitioner.

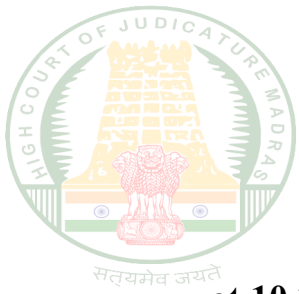
4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and produced a copy of the FIR.



5. This Court has perused the FIR and the allegations only disclose consensual relationship between the petitioner and the defacto complainant. It appears to be a case of consensual relationships that turned sour. In any case, custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 is made ready, before the **learned Judicial Magistrate Mahila Court at Alandur**, 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 petitioner 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.



SUNDER MOHAN , J.

[b] the petitioner shall report before the respondent police daily 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 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.

21.04.2025

Index : Yes / No

Internet : Yes / No

rkp

To 1. The Inspector of Police,

W5, Selaiyur AWPS, Chennai.

2. The learned Judicial Magistrate,
Mahila Court at Alandur.

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

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