



Crl.OP.No.13835 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 02.06.2025

CORAM
THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR
CRL OP NO.13835 of 2025

Samuel Anandan

Petitioner

Vs

The State Rep By
The Inspector of Police
All Women Police Station,
Selaiyur, Tambaram,
Chennai - 600 049.
(Crime No.36 of 2024)

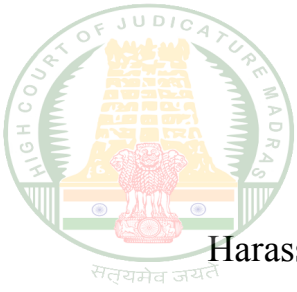
Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on anticipatory
bail in the event of arrest in Crime No.36 of 2024 pending on the file of the
respondent police.

For Petitioner : Mr.R.Prem Narayan
For Respondent : Mr.R.Vinothraja
Government Advocate
(Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 296 and 356 (1) BNS Act,
Section 79 and 67 of IT Act and Section 4 of Tamil Nadu Women

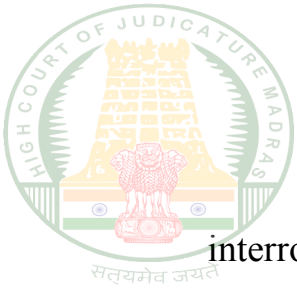


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Harassment (Prevention) Act, in Crime No.36 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that, the petitioner and the defacto-complainant are working in AGS Health Pvt Ltd. They became good friends by exchanging SMS and speaking over phone and in person. The petitioner had promised to marry the defacto-complainant, thereafter refused to marry her and took photographs of defacto-complainant and uploaded in social media making character assassination against her. Hence the case.

3.The contention of the learned counsel for the petitioner is that the petitioner is an innocent person and he has been falsely implicated in this case. It is his further submission that the defacto-complainant lodged a complaint against one Balakumar on the file of All Women Police Station, Royapettah, on similar allegations. The learned counsel for the petitioner further submitted that petitioner shall appear before the respondent Police and produce his mobile phone and other electronic gadgets whichever is available with him for the purpose of investigation. Hence, the custodial

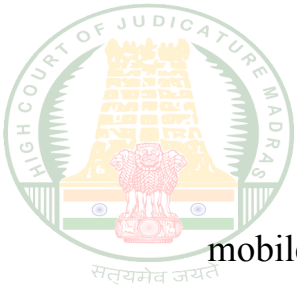


interrogation of the petitioner is not required and he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that petitioner is working as Quality Analyst in AGS Health Pvt Ltd where the defacto-complainant also working. They became good friends by exchanging SMS and speaking over phone and in person. During their relationship, the petitioner took photographs of defacto-complainant and uploaded in social media making character assassination against her.

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

6.Considering the nature of the allegations, the submission of petitioner that he shall appear before the respondent Police and produce his



mobile phone and other electronic gadgets whichever is available with him for the purpose of investigation and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 Judicial Magistrate Court - I, Tambaram**, 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial



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Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the petitioner shall appear before the respondent Police daily at 10.30 a.m for a period of three weeks; thereafter as and when required for interrogation;

[c] [i] the petitioner shall appear before the respondent Police along with his mobile phone and other electronic gadgets available with him for the purpose of investigation;

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by a Police office as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

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

[h] On breach of any of the aforesaid conditions, the



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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];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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M.NIRMAL KUMAR, J.

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To:

- 1.The Inspector of Police
All Women Police Station,
Selaipur, Tambaram,
Chennai - 600 049.
- 2.The Judicial Magistrate Court -I
Tambaram.
- 3.The Public Prosecutor,
High Court Madras.

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