



WEB COPY



Crl.O.P.No.13183 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 13183 of 2025

Vimalraj

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
Karipatty Police Station,
Salem District.
(Crime No.188 of 2025)

Respondent(s)

For Petitioner(s) : Mr.R.Chakkaravarthy

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.188 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 Sections 296(b), 115(2), 351(3), 78(2) of BNS in Crime No.188 of 2025, on the file of the respondent Police, seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that the petitioner and the defacto complainant's daughter had a love affair; that thereafter there were differences between them; that the defacto complainant's daughter wanted to marry another person; that the petitioner threatened the defacto complainant's daughter that he would send the photographs taken together to her would be husband; that the petitioner also obtained Rs.5 lakhs from the defacto complainant's daughter when their relationship was good and later refused to pay and thus committed the aforesaid offence.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; that the petitioner had not threatened the defacto complainant's daughter; that he undertakes not to interfere in the life of the defacto complainant's daughter in future 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, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that the petitioner had threatened the defacto complainant's daughter stating that he would share the pictures taken with him, with her future husband.



Crl.O.P.No.13183 of 2025

WEB COPY

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. Admittedly, the petitioner and the defacto complainant's daughter had a love affair. The allegation primarily is that the petitioner had received Rs.5 lakhs from the defacto complainant's daughter when their relationship was good and he did not repay the said sum. The petitioner is said to have threatened the defacto complainant's daughter that he would send the photographs taken together to her would be husband. However, he had not sent any photographs. The petitioner undertakes that he would not disturb the defacto complainant's daughter in future.

7. Considering all the above facts, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation and hence, is inclined to grant anticipatory bail to the petitioner on 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 learned **District Munsif cum Judicial Magistrate, Vazhapadi**, 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;

[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 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]*;



WEB COPY



CrI.O.P.No.13183 of 2025

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

(g) It is needless to say that the petitioner's indulgence in any such activities in future, the respondent is entitled to move the petition for cancellation;

drl

28-04-2025

To

1. The Inspector of Police,
Karipatty Police Station,
Salem District.

2. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.13183 of 2025

SUNDER MOHAN J.

drl

CRL OP No. 13183 of 2025

28.04.2025