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Crl.O.P.No.14807of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.14807 of 2025

Balachandran

... Petitioner

Vs.

1. The State by,
Inspector of Police,
All Women Police Station,
Virugambakkam, Chennai-92.

2. Divya ... Respondent

PRAYER: Criminal Original Petition filed under Section 438 of B.N.S.S.,
to enlarge the petitioner on bail in the event of arrest by the respondent
police in Crime No. Not Known of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : M/s.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 64 of BNS and under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.Not Known of 2025, seeks anticipatory bail.



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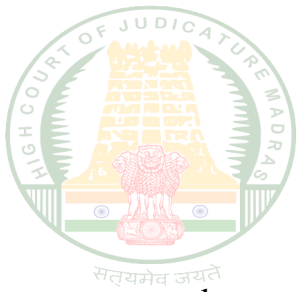
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2. The case of the prosecution is that the the petitioner and the second respondent had a love affair and they were in live in relationship for nearly a year. However, now the petitioner refused to marry the defacto complainant/second respondent. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and a false complaint has been given as against him and ready to abide by any condition imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the case of the prosecution and submitted that the respondent police has registered the case in Cr.No.15 of 2025 for the offence under Sections Sections 64 of BNS and under Section 4 of Tamilnadu Prohibition of Harassment of Women Act. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Today, when the matter is taken up for hearing, the petitioner and the defacto complainant appeared before this Court and they are identified by their respective counsel. Both the complainant and the accused have filed an affidavit, stating that they are willing to get married and the complainant has



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also stated that she is willing to withdraw her complaint against the petitioner herein subsequent to the solemnization of their marriage.

6. A scanned reproduction of the Affidavit filed by the petitioner is as follows:-

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AFFIDAVIT OF THE PETITIONERS

The 1st petitioner is the friend of the 2nd petitioner Divya and they are knowing each other nearly 11 months. Due to some misunderstanding the marriage could not be solemnized. The 2nd petitioner filed a complaint in Crime No.15 of 2025 on the file the Inspector of Police, All Women Police Station, Virugambakkam, Chennai.

The 1st petitioner moved Anticipatory Bail at the instance of elders and friends they decided to resolve their dispute and they solemnly decided to marry each other within a period 2 months as husband and wife from to-day. Their marriage and their married life will not be interfere with either of the parents. In view of the positive development of the marriage the 2nd petitioner Divya is willing the withdraw her complaint in Crime No.15 of 2025 on the file of Inspector of Police, All Women Police Station, Virugambakkam, Chennai. Subsequent to the solemnization of their marriage.

1,

2,



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Hence, the joint compromise ³ memo may be accepted and the both parties are undertaking to marry and same may be reported before this Hon'ble High Court and thus render justice.

Dated at Chennai on this the 22nd day of May, 2025.

Balachandar
1st Petitioner/ Accused

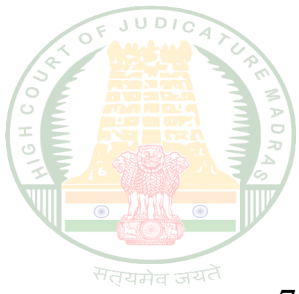
Divya
2nd Petitioner/Complainant

Counsel for Complainant

Counsel for Accused

R. SANKARASUBBIAH
KA 25611980

By
S. MATHYAN
No. 116
High Ct. 22.5.25



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7. Recording the Affidavit filed by the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions. The said affidavit shall form part and parcel of the order. The respondent police shall not arrest the petitioner/accused till the marriage solemnized.

8. Accordingly, this Criminal Original Petition stands allowed and the petitioner is ordered to be released on anticipatory 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 XXIII Metropolitan Magistrate Court, Saidapet, Chennai-15**, 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 learned Magistrate concerned and on further condition that:

(a) the petitioner shall report before the respondent police at 10.30 a.m., on every Saturday and Sunday until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[d] 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



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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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

22.05.2025

Vv

To

1. The XXIII Metropolitan Magistrate Court, Saidapet, Chennai-15
2. The Inspector of Police,
All Women Police Station,
Virugambakkam, Chennai-92.
- 3.The Public Prosecutor,
High Court of Madras.



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N.SENTHILKUMAR,J.

Vv

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