



WEB COPY



Crl.OP.No.16282 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.05.2025

CORAM

THE HONOURABLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

Crl.OP.No.16282 of 2025

Riyas Basha

... Petitioner(s) /Accused

Vs.

The State represented by,
The Inspector of Police,
W-20, Saidapet All Women Police Station,
Chennai District.
Crime No.11 of 2025

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.11 of 2025 dated 24.05.2025 on the file of the respondent police.

For petitioner(s) : Mr.R.Dinesh

For Respondent(s) : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 69, 115(2), 333, 351(3) of BNS in Crime No.11 of 2025 seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that the petitioner/accused and the defacto complainant were in a consensual relationship; that on the promise of marriage, the petitioner had sexual intercourse with the defacto complainant and subsequently refused to marry her. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false. He further submitted that the petitioner is an innocent and that in any case, custodial interrogation of the petitioner is not required and sought for grant of 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, on instructions, submitted that that the petitioner has no bad antecedents.

5. Considering the nature of allegations, the fact that the petitioner has no bad antecedents, and since custodial interrogation of the petitioner is not



required, 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 made ready, before the learned IX Metropolitan Magistrate, Saidapet, on condition that the petitioner shall execute a separate 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 at 10:30 A.M for a period of two months and thereafter, as and when required for interrogation until further orders;



Crl.OP.No.16282 of 2025

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

WEB COPY

[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]*;

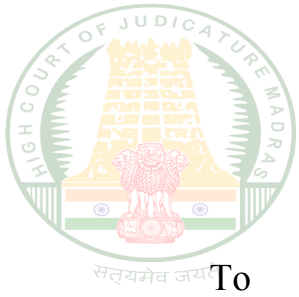
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

28.05.2025

rkp/ata

Note:

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this court will be watermarked and will also have a QR code.**



Crl.OP.No.16282 of 2025

To
WEB COPY

1. IX Metropolitan Magistrate, Saidapet,
2. The Inspector of Police,
W-20, Saidapet All Women Police Station,
Chennai District.
3. The Public Prosecutor,
Madras High Court, Chennai.



WEB COPY



Crl.OP.No.16282 of 2025

K. GOVINDARAJAN THILAKAVADI, J.
rkp/ata

Crl.OP.No.16282 of 2025

28.05.2025