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Crl.O.P.No.17297 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.17297 of 2025

Mr.N.Asir Stevenson

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
W12, All Women Police Station,
Guindy,
Chennai – 600 031.
Crime No.Not Known of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.Not Known of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Harikrishnan
for Mr.Sharath Chandran

For Intervener : Mr.S.I.Sharukumar

For Respondent : Mr.A.Gopinath
Government Advocate (Criminal Side)



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ORDER

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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316 and 318 of the Bharatiya Nyaya Sanhita (BNS), in Crime No. Not Known of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner developed an acquaintance with the de facto complainant, aged about 30 years, and after gaining her confidence, started living with her on the promise of marrying her. After about two years, marriage arrangements were made. The marriage was arranged, after receiving a sum of Rs.5,00,000/- from the de facto complainant and after completion of various marriage formalities; however, the petitioner subsequently refused to marry the victim girl. Hence, the present complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner and the de facto complainant had lived together for a considerable period and due to certain misunderstandings, the petitioner was not able to proceed with the marriage. He further submitted that a false complaint has



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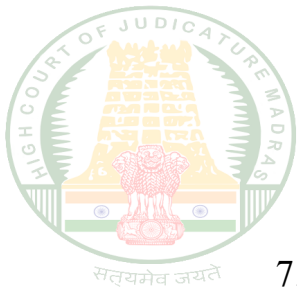
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been lodged against the petitioner and that he is ready to cooperate with the investigation. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned counsel appearing for the intervener/de facto complainant, on instructions, submitted that the petitioner, with an intention to cheat the de facto complainant, closely associated with her, gradually gained her confidence, lived together with her, and had a physical relationship on the false promise of marriage, and thereafter refused to marry her. He further submitted that the petitioner had also received a huge amount from the de facto complainant and cheated her.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the grant of anticipatory bail, reiterating the prosecution case, and submitted that the FIR was registered in June 2025 and the investigation is still pending.

6. Heard the learned counsels on either side and perused the materials available on record.



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7. Admittedly, the age of the victim is 30 years. The petitioner and the de facto complainant were in a live-in relationship for nearly one and a half years. Thereafter, despite having promised to marry her, the petitioner refused to do so.

8. Considering the facts and circumstances of the case, since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

9. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **IX Metropolitan Magistrate Court, Saidapet, Chennai – 600 015**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police for a period of three weeks, and thereafter as and when required for interrogation;

[d] the petitioner shall cooperate with the investigation and also appear for medical examination as an when required;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

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K.RAJASEKAR, J.

cda

To

- 1.The IX Metropolitan Magistrate Court,
Saidapet, Chennai – 600 015.
- 2.The Inspector of Police,
W12, All Women Police Station,
Guindy, Chennai – 600 031.
- 3.The Public Prosecutor,
High Court of Madras.

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