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CRL OP No. 19037 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

**CRL OP No. 19037 of 2025
and Crl.M.P.No.16013 of 2025**

1. DHINAKARAN

S/o. Nedunchezhiyan, No.3/484/A,
Kamaraj Nagar, Ramanaickenpalayam
Salem District.

Petitioner(s)

Vs

1. State rep. by, The Inspector of Police
All Women Police Station, Attur, Salem
District. (Crime No.47 of 2025)

Respondent(s)

PRAYER

To enlarge the Petitioner on bail in the event of his arrest in Crime No.47 of 2025, pending on the file of the respondent and thus render justice.

For Petitioner(s): T.Arul
S. Vinodha
V. Mohankumar

For Respondent(s): Mr.S.Udayakumar
Government Advocate (Crl.side)

For Intervener : M/S.J.Swetha



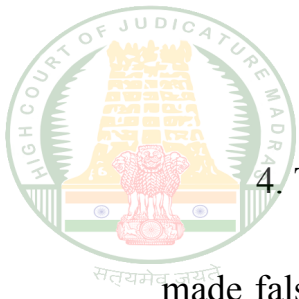
ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 417 and 376 of IPC in Crime No.47 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner herein seduced the victim in this case aged about 27 years under the pretext of marrying her and had sexual relationship with her and subsequently refused to marry her. Hence, the complaint has been lodged by the defacto complainant.

3. The learned counsel for the petitioner submitted that it is the case of consensual relationship and due to misunderstanding, both were separated and the petitioner was not able to marry her. He further submitted that the petitioner is ready to abide with any conditions that may be imposed by this Court, and therefore, he prayed to grant anticipatory bail to the petitioner.



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4. The learned counsel for the Intervenor would submit that the petitioner made false promise and also twice, he forced her to join with him. The victim, after leaving her house, joined with the accused and stayed for some time and at that time, he has made promise to marry her and had sexual relationship and subsequently refused to marry her. Hence, she opposed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl. Side) submitted that it is a case of consensual relationship and the petitioner has forced the victim girl to have sexual intercourse, thereby the complaint has been lodged. Hence, he opposed to grant of anticipatory bail to the petitioner.

6. I have considered the submissions made on either side and perused the records. On perusal of the FIR, it reveals that the petitioner and the defacto complainant were lovers and they were in relationship for nearly three years and subsequently he made a promise to marry her and thereafter by promising he had sexual relationship and subsequently refused to marry her. It reveals that they were in relationship for the past three years and considering the age of the



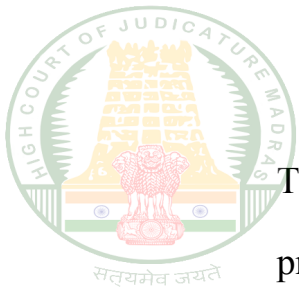
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persons including the defacto complainant, I am of the view that the petitioner is entitled for anticipatory bail and custodial interrogation of the petitioner is not necessary in this case. Hence, this Court is inclined to grant anticipatory bail 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 (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-I, Attur**, 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:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(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'].



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The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

(f) The petitioner shall co-operate for investigation and shall subject himself for medical examination if any required for investigation.

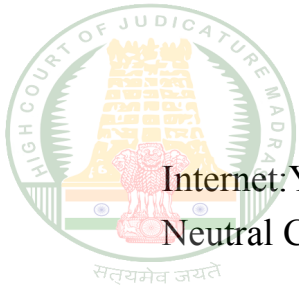
Connected miscellaneous petition is closed.

24-09-2025

mpa

Index: Yes/No

Speaking/Non-speaking order



Internet: Yes

Neutral Citation: Yes/No

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To

1.The Judicial Magistrate-I, Attur.

2.State rep. by, The Inspector of Police
All Women Police Station, Attur, Salem
District. (Crime No.47 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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