



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20557 of 2025

Mr.R.Karthik Kumar

.. Petitioner/Accused

Vs.

The State Rep by,
The Inspector of Police,
W-22, Kotturpuram AWPS,
Chennai.
(Crime No.Not Known of 2025)

.. Respondent

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

For Petitioner : Mr.S.Senthamizhan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 118(2) of BNS 2023 in Crime No. Not Known of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant, the victim in this case, is a divorcee with one child. On coming to know about the same, the petitioner had been following her, causing disturbance and also stalking her regularly. Thereafter, on one occasion he had also called her for sexual advances which she refused, and he had been threatening her. Hence, she lodged a complaint.

3. Learned counsel appearing for the petitioner submits that the petitioner and the de facto complainant prior to three years loved each other and due to a difference of opinion they married separately. He further submits that the petitioner is innocent and has not committed any offence. The petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the



petitioner.

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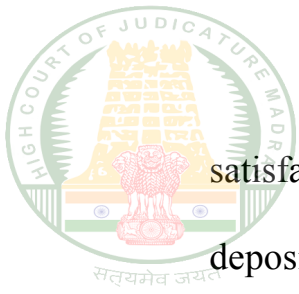


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4. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioner reiterated the prosecution case.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, 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 Court, Saidapet**, on condition that the petitioner shall execute a 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] Learned counsel for the petitioner undertakes to file an affidavit that the petitioner will not go near the victim, causing any disturbance to the victim and her child. The affidavit is to be filed before the concerned Magistrate at the time of executing the sureties.

[b] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[c] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[d] the petitioner shall report before the respondent Police for a period of two weeks and thereafter, as and when required for further interrogation;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;



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[f] the petitioner shall make himself available for interrogation by a Police office as and when required;

[g] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

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

[i] 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];

[j] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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M.NIRMAL KUMAR, J.

cda

To

- 1.The IX Metropolitan Magistrate Court, Saidapet.
- 2.The Inspector of Police,
W-22, Kotturpuram AWPS,
Chennai.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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