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CRL OP NO. 24637 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CRL OP NO. 24637 of 2024

SURESH

S/o.Periyasamy, No.1/144B, South Street,
Chepakkam, Veppur Taluk, Cuddalore.No.1/144B,
South Street, Chepakkam, Veppur Taluk, Cuddalore.

Petitioner(s)

Vs

The State Rep By Its,
No.1/144B, South Street, Chepakkam, Veppur Taluk,
Cuddalore.The Inspector of Police All Women Police
Station, Tittagudi Cuddalore District. CR.NO.119 OF
2024.

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNNS to
enlarge the petitioner on anticipatory bail in the event of their arrest in
Crime No.119 of 2024 pending on the file of the respondent police.

For Petitioner(s) : Mr.R Thirumoorthy

For Respondent(s) : Mr.V.Meganathan,
Government Advocate (Crl. Side)

ORDER

The petitioner who apprehends arrest for the alleged offences under
Sections 417, and 376 of IPC in Crime No.119 of 2024 on the file of the
respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant Surya lodged
a complaint by stating that the petitioner and the defacto complainant



were loved with each other and the petitioner promised to marry her but declined to agree for marriage. When the defacto complainant approached the petitioner, she was abused with filthy language by the petitioner and his family members and caused life threat. On receipt of the complaint, a case has been registered against the petitioner in Crime No.119 of 2024 for offences under Sections 417 and 376 of IPC.

3.The learned counsel for the petitioner submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the mediation has failed between the parties. The petitioner refused to marry the victim girl. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5.On 17.05.2024, this matter was referred to the Mediation Centre at Cuddalore and the Mediation has failed between the parties. The defacto complainant is facing much hardship because of the attitude of the petitioner. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner.

6.Accordingly, 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 of receipt of a copy of this order, before the learned ***Judicial Magistrate - I, Vridhachalam***, 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 further condition that:

[a]the petitioner is directed to pay a sum of Rs.1,00,000/- (Rupees one lakh only) to the victim girl for her mental agony directly on or before 12.02.2025 and shall produce the said receipt before the Court below.

(b)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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 anticipatory 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]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

Post this matter under the caption "for reporting compliance" on 13.02.2025.

23-01-2025

mps

To

1. The State Rep By Its,
No.1/144B, South Street, Chepakkam, Veppur Taluk,
Cuddalore.The Inspector of Police
All Women Police Station,
Tittagudi
Cuddalore District. CR.NO.119 OF 2024.



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T.V.THAMAILSELVI, J.

mps

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