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Crl.O.P.No.26036 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

**CRL OP NO. 26036 of 2024
and CRL MP NO.15671 of 2024**

G.Murugan
S/o.Late.Gunasekaran, No.16, Mariamman Koil
Street Parikkalpattu Village Kalavai Taluk
Ranipet District.

Petitioner(s)

Vs

State Represented By
The Inspector Of Police, All Women Police
Station, Ranipet, Ranipet District. Cr.No.33 Of
2024

Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on
anticipatory bail in the event of his arrest by the respondent police
concerned in Crime No.33 of 2024, on the file of the respondent police.

For Petitioner(s) : Mr. S. Paul Gnanamuthu

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

For Intervenor : Mr. S.K. Chandrakumar



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 323 and 506(i) of IPC in Crime No.33 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the defacto complainant and the petitioner had a love affair; that on false promise of marriage, the petitioner had a sexual intercourse with the defacto complainant and later refused to marry her. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that this Court vide order dated 12.11.2024 directed the petitioner and the defacto complainant to appear before the Mediation Centre, Chennai; that the parties had appeared in the mediation proceedings, arrived to a compromise and entered into a settlement agreement dated 04.12.2024; that the petitioner had agreed to marry the defacto complainant, hence prayed for anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that the parties are arrived to a compromise through mediation.

5. Learned counsel for the intervenor also confirms the fact that the parties had arrived to a compromise and the petitioner had agreed to marry the defacto complainant.

6. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and the learned counsel for the intervenor and perused the materials available on record.

7. Taking note of the facts and circumstances of the case, considering the nature of allegation against the petitioner, submissions made by the learned counsels on either side, the fact that the parties have arrived to a compromise and since custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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8. 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 Judicial Magistrate Court, Ranipet** 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 petitioner and 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 as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioner shall not abscond 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 of B.N.S.

9. Accordingly, this criminal original petition and the connected criminal miscellaneous petition are ordered.

25.02.2025

stn

To

1. State Represented By
The Inspector Of Police, All Women Police Station,
Ranipet, Ranipet District.
Cr.No.33 Of 2024



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SUNDER MOHAN, J.

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