



CRL OP NO. 27187 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 27187 of 2024

AND CRL MP NO. 15533 OF 2024

M.Natarajan
S/o.Manickam, and another

Petitioner(s)

Vs

The State Rep. By
The Inspector Of Police, All Women Police Station, Ariyalur.
(crime No.6/2024)

Respondent(s)

CRL MP NO. 15533 of 2024

S.Bavithra
D/o.Senthil Kumar, No.42, Annam Nagar, Thiruanur, Ariyalur
District.

Appellant(s)

Vs

State Rep.
Inspector Of Police, All Women Police Station, Ariyalur District.

In Crime No.46/2024 and 2 Others

Respondent(s)

CRL OP NO. 27187 of 2024

For Petitioner(s):

Vellidoss Sattu
S.Vellidoss
V.Karthikeyan
S.Mareeswaran
M.Manjula

For Respondent(s):

S.Santhosh
Government Advocate (criminal Side)
Madras High Court.

For Intervenor: Mr.I.Arokiasamy



ORDER

Petition seeking bail in respect of Crime No.46 of 2024 registered for the offences punishable under Sections 418, 376, 496 and 506(1) of IPC and Section 67-A of Information Technology (Amendment) Act, is on board for consideration.

2. The case of the prosecution is that the case of consensual affair between two engaged adults has been falsely projected as a case of rape and cheating. He also submits that the petitioners' son and the de facto complainant are close relatives and with the consent of both families, their engagement was conducted and thereafter, there was a relationship between them. However, due to some misunderstanding, the marriage proposal was dropped and thereafter, an exaggerated complaint has been given against the petitioner's son. He further submits that even as per the prosecution, during the period of courtship, there was a relationship between the petitioners' son and the de facto complainant and there was no compulsion on the part of the petitioner and their family members. He also submits that this court, while granting interim bail to the petitioners' son on 08.11.2024, had referred the matter for mediation, however, the mediation has failed and further, based on the direction passed by this Court on 18.12.2024, the petitioner's son has surrendered before the Jail

Authorities, Sub Jail, Jayankondam on 19.12.2024.

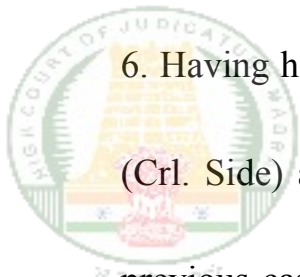


3. Learned counsel for the petitioners would submit that that the petitioners are and have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

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4. Learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the de facto complainant and the petitioners are relatives and with the consent of both families, engagement was conducted between the defacto complainant and the petitioners' son and thereafter, the petitioners' son compelled the de facto complainant and had a sexual intercourse with her and further, threatened her with her private videos and later, refused to marry her. He also submits that on 08.11.2024, this Court has granted interim bail to the petitioners' and directed him to appear before the mediation center and thereafter, pursuant to the order dated 18.12.2024, the petitioner surrendered before the Jail Authorities, Sub Jail, Jayankondam on 19.12.2024. He further submitted that the investigation in this case has been completed and the respondent has filed charge sheet.

5. Learned counsel for the de facto complainant/XXX, while vehemently opposing for grant of bail to the petitioners, submits that the petitioners had exploited the innocence of the de facto complainant and by forcing her to have a physical relationship with their son and later, refused to marry her.



6. Having heard the learned counsel for the petitioner and the learned Government Advocate

(Crl. Side) appearing for the respondent Police and also the fact that the petitioner has no

previous case, this Court is inclined to grant anticipatory bail to the petitioners with certain

conditions and accordingly, the petitioners are ordered to be released on bail in the event of

arrest or on their appearance within a period of fifteen days from the date of receipt of a copy

of this order, before **the learned Additional Mahila Court (Magistrate level) Ariyalur** on

condition that the petitioner shall execute separate bond for a sum of **Rs.10,000/- (Rupees**

Ten Thousand only), each 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 said

Magistrate, on further condition that:

[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen

days, this Order shall stand automatically cancelled;

[b] the petitioners 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;

[c] **the petitioners shall report before the learned Additional Mahila Court (Magistrate level)respondent Police on all working days at 10:30 A.M., for a period of two(2) weeks and thereafter, as the date fixed by the concerned**

Magistrate, until further orders;



[d] the petitioners shall not tamper with evidence or witness either during investigation or during the trial;

[e] the petitioners shall not abscond either during the investigation or during the trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners were 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]

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

7. Accordingly, this Criminal Original Petition and connected Criminal miscellaneous petition are ordered.

24-01-2025

msv
To

The Inspector Of Police,

All Women Police Station, Ariyalur.