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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.25038 of 2025

Vijayakumar

... Petitioner

Vs.

State rep. by The Inspector of Police
AWPS Vandavasi Police Station,
Tiruvannamalai District
Crime No.37 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in Crime No.37 of 2025 on the file of the Respondent police.

For petitioner : Mr.E.Sathiyaraj Elangovan
For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 115(2), 85 of BNS and under Sections 417, 376(2) (n) of IPC @ 417, 376(2) (n) , 294(b) of IPC (Corresponding Section 318(2) , 64, 296(b) of BNS Act), on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner by making false



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promise of getting marriage, had sexual relationship with the defacto complainant, due to which, she became pregnant and later he refused to marry her. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner on false promise, had physical relationship with the defacto complainant, due to which, she became pregnant and when he refused to marry her, she aborted. Therefore, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel, and that both the parties are



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majors and nature of offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on interim anticipatory 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, Vandavasi, Tiruvannamalai District**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties (out of which one must be a blood surety), 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 conditions 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 on every Saturday at 10.00 a.m., for a period of twelve weeks and thereafter as and when required for interrogation;



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

[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 229A IPC.

8. Considering the nature of dispute between the parties, the matter is referred for mediation in order to resolve the dispute amicably between the parties. Therefore, the parties are directed to appear before Mediation Centre at Tiruvannamalai District on 18.09.2025, without fail.

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To

1. The Learned Judicial Magistrate,
Vandavasi, Tiruvannamalai District.
2. The Inspector of Police
AWPS Vandavasi Police Station,
Tiruvannamalai District
Crime No.37 of 2025.
3. The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI.,J
gv

Crl.O.P.No.25038 of 2025

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