



Crl.O.P.No.31786 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2025

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.31786 of 2024

Akash.K

... Petitioner

Vs.

The State represented by Inspector of Police,
T4 All Women Police Station,
Maduravoyal, Chennai – 600 095.

Crime No.37 of 2024

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in the
event of their arrest in connection with the case in Crime No.37 of 2024 pending
investigation on the file of the respondent Police herein.

For Petitioner : Mr.S.Ramprabu

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.side)

ORDER

Apprehending arrest in connection with Crime No.37 of 2024, for the
offence punishable under Section 69 of BNS, the present petition has been filed
seeking anticipatory bail.

2. The case of the prosecution is that the accused got introduced to



the defacto complainant through social media and thereafter, they developed relationship and on a false assurance of marrying the defacto complainant, the petitioner committed sexual intercourse with her and later refused to marry her, due to which, the defacto complainant attempted to commit suicide. Hence, the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner and the defacto complainant are matured adults and they got introduced through social media and developed into a relationship. Due to misunderstanding, they got separated. He further submits that the defacto complainant had filed an earlier complaint before J3 Guindy All Women Police Station. On 03.09.2024, the petitioner was called for enquiry and he had appeared for enquiry and at that time, the matter was compromised and the defacto complainant had withdrawn the complaint. Subsequently, she had filed a false complaint as against the petitioner.

4. The case of the prosecution as putforth by the learned Government



Advocate (Crl.side) appearing for the respondent Police is that the petitioner, on a false assurance of marrying the defacto complainant, committed sexual intercourse with her and later refused to marry her, due to which, the defacto complainant attempted to commit suicide. He further submits that the investigation is pending. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl.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 and 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Madhavaram, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand



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automatically cancelled;

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[b] the petitioner shall report before the respondent Police daily at 06.30 p.m., for a period of one week and thereafter, Every Monday at 10.30 a.m., until further orders;

[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 269 of BNS.

06.01.2025

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To

1. The Inspector of Police,
T4 All Women Police Station,
Maduravoyal, Chennai – 6000 095.
2. The Public Prosecutor,
High Court of Madras.

A.D.JAGADISH CHANDIRA.,J.

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