



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 29190 of 2025

1. P. Prabakaran
2.C. Panneerselvam
3.P. Kannagi

Petitioner(s)

Vs

State rep. by The Inspector of Police,
AWPS, Arakkonam Ranipet District.
(Crime No. 85 of 2025)

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in the event of their arrest in connection with Crime No. 85 of 2025 on the file of respondent Police.

For Petitioner(s): D Ilayaraja

For Respondent(s): Mr.S.Udayakumar
Government Advocate (Criminal
Side)



ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 69 & 351(2) of BNS 2023, in Crime No.85 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.The allegation against the petitioners is that A1 is the son of A2 and A3 and taking advantage of the relationship with the defacto complainant, promised that he would marry her and had sexual intercourse forcibly, though she attempted to stop the same. Since it came to light to the family members she attempted to commit suicide and the family members promised that they will arrange the marriage. However after sometime, the 1st petitioner refused to marry the victim girl and further they have threatened her with dire consequences and also abused her and unable to bear the incident she has lodged the complaint.

3.The learned counsel for the petitioner submitted that the petitioners and the defacto complainant are close relatives and there is no sexual intercourse as stated in the FIR and a false allegation has been leveled against the petitioners



and prays to grant anticipatory bail.

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4.The learned Government Advocate (Crl.side) for the respondent police reported that it is stated in the FIR that occurrence had taken place in the month of June 2025 and A1 has forcibly committed sexual intercourse with the victim and thereafter he refused to marry her and the family members of A1 abused her with filthy language. He further submitted that the investigation in this case is pending. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.I have also gone through the FIR and the connected records, which reveals that A1 has forcibly committed sexual intercourse on the victim girl by falsely promising that if she has agreed for sexual intercourse there will be a possibility of marriage being arranged by the family members however after having sexual intercourse A1 has refused to marry her, hence, I am not inclined to grant anticipatory bail to the 1st petitioner/A1. However, petitioners 2 and 3 are concerned allegation against them is only that they threatened the victim girl and abused her, hence, I am inclined to grant anticipatory bail to the petitioners



2 and 3 on the certain conditions.

7. Accordingly, the 2nd and 3rd petitioners are ordered to be released on anticipatory bail on executing a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate I, Arakkonam*, and on further conditions that:

[a] the 2nd and 3rd 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.

[b] the 2nd and 3rd petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the 2nd and 3rd petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the 2nd and 3rd petitioners 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 2nd and 3rd petitioners in accordance with law as if the conditions have been imposed and the 2nd and 3rd petitioners 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]**;

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

8. Accordingly, this criminal original petition in respect of 1st petitioner is dismissed and in respect of 2nd and 3rd petitioners is ordered.

28-10-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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- 1.State rep. by The Inspector of Police,
AWPS, Arakkonam Ranipet District.
(Crime No. 85 of 2025)
- 2.The JM 1, Arakkonam.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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