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CrI.OP.No. 30478 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 30478 of 2025

1.Shiyal
2.Mirthula
3.A.Shidhya

...Petitioners/A1 to A3

Versus

The State rep. by
The Inspector of Police
Washermanpet Police Station
Chennai District
Crime No. 872 of 2025.

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the
event of their arrest pending investigation in Cr.No. 872 of 2025 on the file
of the respondent police.

For Petitioners : Mr.Deepak Kumar C.
For Respondent : Mr.A.Gopinath
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 406 and 420 of IPC in



Crime No. 872 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioners is that the first petitioner proposed the marriage with the de-facto complainant in the year 2023 and they were in negotiation between both the families. Thereafter, the de-facto complainant's family had paid an advance amount of Rs.2,90,000/- towards marriage and other expenses. Subsequently, the family of the 1st petitioner was not responded properly to fix the date of marriage and avoided to perform the marriage between the 1st petitioner and the de-facto complainant. In this regard, the de-facto complainant has also spent money to the tune of Rs.2,90,000/- towards marriage and other expenses. However, the 1st petitioner had informed to the de-facto complainant that he is not ready to marry her. Hence the complaint.

3. The learned counsel for the petitioners submits that the petitioners have also incurred huge expenses towards marriage expenses and the 1st



petitioner has handed over some gifts to the de-facto complainant. He also submits that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for their release. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the marriage was arranged between the petitioner and the de-facto complainant by the parents of both families in the year 2023. The FIR revealed that the de-facto complainant spent a total sum of Rs.2,90,000/- towards marriage and other expenses. Later, the de-facto complainant came to know that the petitioner/A1 had love affair with another girl in his locality. He further submits that investigation is pending and an FIR has been registered recently. However, he opposed for grant of anticipatory bail to the petitioners.



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5. Heard the learned counsels and perused the materials available on record.

6. Considering the fact that the occurrence had taken place in the year 2023 and FIR has been registered recently by the respondent police; that the petitioner has not married the victim girl; that investigation is pending and the custodial interrogation of the petitioner is not necessary, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:-

7. 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 on which the order copy made ready, before the learned **Judicial Magistrate, Thiruvottiyur**, on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** **with two sureties** each for a like sum to the satisfaction of the learned



Magistrate concerned and on further condition that:

(a) If the petitioners fail to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned



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conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10.11.2025

MSM

To

1.The Judicial Magistrate, Thiruvottiyur.

2.The Inspector of Police
Washermanpet Police Station,
Chennai District.

(Crime No. 872 of 2025).

3. The Public Prosecutor,
High Court of Madras.

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K.RAJASEKAR, J.

MSM

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