



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 01-12-2025**

CORAM

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**CRL OP No. 32604 of 2025**

S.Krishnaraj

Petitioner(s)

Vs

The State rep by Inspector of Police,  
AWPS Dharapuram, Crime No. 30 of  
2025 Tiruppur District.

Respondent(s)

**PRAYER** Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to grant Anticipatory Bail to the petitioner in the event of his arrest or in connection with the case in Crime No. 30 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s): Mr.N.Manokaran  
For Intervenor Mr.M.Venkatesh

For Respondent(s): Ms.J.R.Archana  
Government Advocate (Crl.Side)

**ORDER**

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 69 of BNS Act, 2023, in Crime No.30 of 2025 on the file of the respondent Police, seeks anticipatory bail.



WEB COPY

2.The allegation against the petitioner is that the petitioner was known to the victim girl, and they were in relationship for some period. By making a false promise to marry her, he had a sexual relationship with her and subsequently refused to marry her. Hence, the case.

3.The learned counsel for the petitioner submitted that, in the complaint, it is stated that the petitioner and the defacto complainant were in a relationship for five years as the marriage did not take place due to misunderstanding and that it is not a case of cheating. He further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4.The learned counsel for the Intervenor submitted that the defacto complainant had earlier lodged a complaint with the Superintendent of Police and that notice was also issued to the petitioner. He appeared and made a promise to marry her; however, he later approached this Court seeking action against the respondent police, and the petition enquiry was converted into an FIR and the investigation in this case is pending. Hence, he opposed for the grant of anticipatory bail to the petitioner.



5. The learned Government Advocate (Crl.Side) for the respondent police reported that FIR had been registered only very recently and that the investigation in this case is pending. Hence, he opposed for the grant of anticipatory bail to the petitioner.

6. I have also considered the submissions and perused the records and FIR, and it revealed that the petitioner and the defacto complainant were in a relationship for the past five years. Subsequently, the petitioner has not come forward to continue the relationship and also failed to marry her. Hence the complaint has been lodged.

7. Considering the above facts and other circumstances of the case, I am of the view that custodial interrogation in a case of this nature is not necessary. Also, considering the age of both the parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 on which the order copy made ready, before the **learned Judicial Magistrate Court, Dharapuram** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

**(c) The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation; It is also made clear that the petitioner shall co-operate for the enquiry and also for further medical examinations, if any to be conducted by the respondent police.**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;



(e) If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 of BNS Act.

**01-12-2025**

gbi



CRL OP No. 32604 of 2025



To

1. The State rep by Inspector of Police,  
AWPS Dharapuram, Crime No. 30 of  
2025 Tiruppur District.
2. The Judicial Magistrate Court,  
Dharapuram.
3. The Public Prosecutor,  
High Court of Madras.



WEB COPY

CRL OP No. 32604 of 2025



**K.RAJASEKAR J.**  
**gbi**

**CRL OP No. 32604 of  
2025**

**01-12-2025**