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Crl.OP.No.33873 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.33873 of 2025

Sulaiman

... Petitioner

Vs.

State rep by its
Inspector of Police,
Kandili Police Station,
Tirupattur District.
(Cr.No.333 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of his
arrest in Cr.No.333 of 2025 on the file of the respondent.

For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

The petitioner apprehends arrest for the alleged offence under Section
69 of BNS in Cr.No.333 of 2025, on the file of the respondent police. seeks
anticipatory bail.



2. The case of the prosecution is that the parents of the petitioner as well as the parents of the defacto complainant have decided to arrange marriage to the petitioner herein with the defacto complainant. In pursuant of engagement function held between the parties, the petitioner under the pretext of marriage between him and defacto complainant, had a physical relation with the defacto complainant and thereafter, he refused to marry her. Aggrieved by the said act of the petitioner, the defacto complainant had attempted to commit suicide and admitted in this hospital. Upon intimation from the hospital, the respondent police registered the case against the petitioner. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution. He further submitted that the petitioner is ready and willing to cooperate with the investigation and, therefore, prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that after engagement, the petitioner had physical relation with the defacto complainant and later refused to marry her. Aggrieved by the same, the defacto complainant has attempted to commit suicide and later hospitalized. Hence, he opposed the grant of anticipatory



bail to the petitioner.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Taking all the factors into consideration and the submissions made by both counsel and considering the age of the victim, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate-II, Tirupattur** on condition that the petitioner 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 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 daily at 10.30a.m., as and when required for interrogation;

(d) The petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) The petitioner shall not abscond either during investigation or trial:

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]*;

(g) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

16.12.2025

Vv

To

1. The Judicial Magistrate-II, Tirupattur.
2. The Inspector of Police,
Kandili Police Station,
Tirupattur District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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