



CRL OP(MD). No.8446 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.8446 of 2025

Francis,
S/o.Anthony Gurush

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Lalgudi, Tiruchirappalli District.
(Crime No.22 of 2025)

... Respondent/Complainant

For Petitioner : Mr.R.Sakthivel,
Advocate

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.22 of 2025 on the file of the Respondent Police.

<https://www.mhc.tn.gov.in/judis>



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 354A, 376 and 511 of IPC in Crime No.22 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who was working abroad, and the de-facto complainant were in a love affair, and upon coming to know of the same, their families members arranged a ceremony for fixing their marriage on 28.06.2023. Thereafter, the petitioner is alleged to have engaged in video calls with the de-facto complainant for sexual gratification. However, in the year 2024, when the petitioner returned to Tamil Nadu, he refused to marry the de-facto complainant. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution, and that the present complaint has been lodged only at the instance of family members of the de-facto complainant, with an intention to harass the petitioner. He further submitted that the alleged



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incidents are said to have occurred in the years 2023 and 2024, but the F.I.R. has been lodged only in the year 2025. Therefore, it is evident that the complaint has been filed with a motive to wreak vengeance against the petitioner. He, however, submitted that the petitioner is willing to abide by any condition that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that it is a case of consensual relationship. Both the petitioner and the de-facto complainant were in love, and their parents had even arranged for their marriage. However, while the petitioner was in abroad, he is alleged to have sexually harassed the de-facto complainant during video calls, and subsequently, he refused to marry her. Hence, he opposed the grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and also taking note of the fact that the issue pertains to a consensual relationship, and that the alleged occurrence took place on 27.05.2023 while the complaint was lodged only on 20.04.2025, and that by this time most of the investigation might have been completed, and that the custodial interrogation of the petitioner is not necessary in this case, this Court is inclined to grant anticipatory bail to the petitioner, subject to



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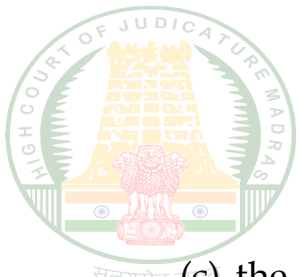
certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of his 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, Lalgudi 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Lalgudi and on further conditions that:

(a) the petitioner 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 petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Lalgudi. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Lalgudi;



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(c) the petitioner shall report before the respondent police daily twice i.e. at 10.30 a.m. and 05.30 p.m., until further orders;

(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 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]; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
24/06/2025

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/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

- 1.The Judicial Magistrate,
Lalgudi, Trichy.
2. Do Through The Chief Judicial Magistrate,
Trichy.
- 3.The Inspector of Police,
All Women Police Station,
Lalgudi, Tiruchirappalli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.SAKTHIVEL, Advocate (SR-6741[I] dated 25/06/2025)

ORDER
IN

CRL OP(MD) No.8446 of 2025
Date :24/06/2025

HPS/14.07.2025 /6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023