



Crl.O.P(MD).No.11432 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 31.07.2025

Pronounced on : 14.08.2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

Crl.O.P(MD).No.11432 of 2025

Ganapathi

... Petitioner/Sole Accused

Vs.

The State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station,
Thiruvadanai,
Ramanathapuram District.
(Crime No.15 of 2025)

... Respondent/Complainant

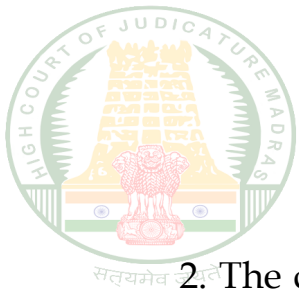
PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of arrest in respect of Crime No.15 of 2025 on the file of the All Women Police Station, Thiruvadanai, Ramanathapuram District.

For Petitioner : Mr.B.Mahendrarajan

For Respondent : Mr.S.Prakash
Government Advocate (Crl.side)

ORDER

The petitioner seeks anticipatory bail upon the apprehension of arrest at the hands of the respondent police for the alleged offence U/s.69(c) of BNS Act in Crime No.15 of 2025 on the file of the respondent police.



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2. The case of the prosecution is that on the guise of false promise of marriage, the petitioner had physical relationship with the defacto complainant and the petitioner did not turn up to marry the defacto complainant as promised. Hence, the case is registered.

3. The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case, he never had any physical relationship with the defacto complainant. It is further submitted that the defacto complainant alleged that the occurrence happened on 11.05.2024 and filed this complaint on 26.06.2025 and that only in order to grab money from the petitioner, the defacto complainant has falsely lodged this complaint. The defacto complainant already lodged such kind complaint against the brother of the petitioner and obtained an amount and filed copies of the photos. The petitioner has not committed any offence as alleged by the prosecution. He is ready to abide any condition imposed by this Court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner is the sole accused, who had sexual relationship with the defacto complainant under false promise of marriage. The defacto complainant has given a statement U/s.183(5) of the BNSS before the Judicial Magistrate, narrating the incidents. The investigation is still pending and the anticipatory bail petition may be dismissed.

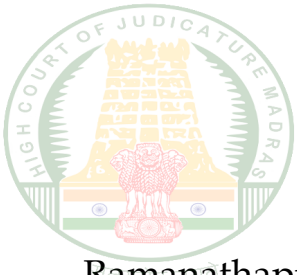


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5. Heard and perused the available records. It is seen from the records that according to statement U/s.183(5) of BNSS given by the defacto complainant, she is a major and also she is divorcée having a male child. As per the contents of FIR and statement U/s.183(5) of BNSS, it is alleged that there was consensual sexual relationship between the petitioner and the defacto complainant and there is no allegation of rape. The Hon'ble Supreme Court in Crl.A.No.1359 of 2025 on 19.03.2025 held that custodial interrogation is not necessary upon allegation of having physical relationship on false pretext of marriage. The alleged offences could be decided only on the appreciation of evidences by the trial Court. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with conditions.

6. 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, Thiruvadanai, Ramanathapuram District 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Thiruvadanai,



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Ramanāthapuram District, failing which, the anticipatory bail granted by this Court shall stand dismissed and on further condition that:

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(a) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Judicial Magistrate concerned may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

(b) The petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate, Thiruvadanai. If the petitioner change his residential address, he shall report the same to the learned Judicial Magistrate, Thiruvadanai;

(c) On release, the petitioner shall appear and sign before the Inspector of Police of respondent police station daily at 10.00 a.m. until further orders;

(d) The petitioner shall not abscond either during investigation or trial and he shall cooperate for the investigation;

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

(f) On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and and if there is any violation of condition, the Investigation Officer is within his discretion to approach the Court of the learned Judicial Magistrate, concerned for cancellation of bail as per



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the ruling of the Hon'ble Supreme Court reported in P.K.Shaji/Vs/State of Kerala,
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(2005) AIR S.C.W.5560 and;

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

sd/-
14/08/2025

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

VSD
To

- 1.The Judicial Magistrate,
Thiruvadanai,
Ramanathapuram District.
- 2.The Inspector of Police,
All Women Police Station,
Thiruvadanai,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER
IN
CRL OP(MD) No.11432 of 2025
Date :14/08/2025

AS/10.09.2025/6P/4C

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