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Crl.O.P.No.2430 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.2430 of 2026

Samuel.B S/o.Balayogi

... Petitioner/ Accused

Vs

The State Rep. By,
The Inspector of Police,
W-33, All Women Police Station,
Puzhal, Chennai – 600 066.
(Crime No.36 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.36 of 2025 on the file of the respondent police.

For Petitioner : Mr. Masathn S K

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 69 of BNS, 2023, in Crime No.36 of 2025 on the file of the respondent Police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner herein developed a relationship with the victim girl who is 22 years old while she was studying in the college and subsequently, by making promise of marrying her, he had a sexual relationship with her; later, he refused to marry her. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, they had a consensual relationship and after some period, they were separated for past eight months and present complaint has been lodged only due to previous enmity and that the petitioner is ready to co-operate for the investigation and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that the FIR has been recently registered and that the investigation of this case is pending.

5. Considering the submissions made, facts and circumstances of this case, nature of allegation, the fact that FIR reveals that they had a



consensual relationship for a substantial period and subsequently, they got separated, this Court is of the view that custodial interrogation of the petitioner herein is not necessary for the purpose of investigation, hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate Court, Madhavaram, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 days from the date of receipt of 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;



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[c] the petitioner 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 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.

[f] the petitioner has to co-operate for the medical examination if any required for the purpose of investigation.

03.02.2026

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K. RAJASEKAR, J.

SSa

To

1. The Judicial Magistrate Court,
Madhavaram, Chennai.
2. The Inspector of Police,
W-33, All Women Police Station,
Puzhal, Chennai – 600 066.
(Crime No.36 of 2025)
3. The Public Prosecutor,
High Court of Madras.

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