



WEB COPY



CrI.O.P.No.4092 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2026

CORAM

THE HON'BLE DR. JUSTICE C.KUMARAPPAN

CrI.O.P.No.4092 of 2026

Manikandan

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.
Crime No.45 of 2026

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail
in the event of his arrest in connection with the Crime No.45 of 2026 on the
file of the respondent police.

For Petitioner : Mr.J.Jawahar

For Respondent : Mr.P.Dhileepan,
Government Advocate (CrI.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 69 of BNS Act, 2023, in



Crl.O.P.No.4092 of 2026

Crime No.45 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner developed a relationship with the victim lady, promised to marry her and started exchanging various photographs, including intimate photographs. Taking advantage of the same, the petitioner is alleged to have committed rape on her despite her refusal. Thereafter, the petitioner allegedly started threatening her by using the photographs sent by her. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is a 90% disabled person and that, even according to the allegations made in the FIR, there was a consensual relationship between the petitioner and the victim. He would further submit that the occurrence is alleged to have taken place on 11.07.2025, whereas the FIR came to be registered only on 07.02.2026.

4. The said contentions were strongly objected to by the learned counsel for the intervenor, who would contend that the petitioner had intimidated the de facto complainant by using obscene videos and thereby



Crl.O.P.No.4092 of 2026

compelled her to have a physical relationship with him. Therefore, the contention of the petitioner that it was consensual cannot be accepted. The very same contention was reiterated by the learned Government Advocate (Crl. Side) appearing for the respondent police.

5. The learned counsel for the petitioner further submitted that this Court, by order dated 19.02.2026 in Crl.O.P.No.4092 of 2026, had granted interim anticipatory bail to the petitioner till 17.03.2026 with certain conditions.

6. This Court has given anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

7. On perusal of the certificate issued by the Government of Tamil Nadu, District Differently Abled Welfare Office, Villupuram, it is seen that the petitioner has been assessed with 90% orthopaedic disability. Though the learned counsel for the intervenor objected to the grant of bail, on a perusal of the averments made in the FIR, it appears that the relationship between the petitioner and the victim was initially consensual in nature and that the



Crl.O.P.No.4092 of 2026

alleged occurrence took place on 11.07.2025. However, the complaint came to be registered only on 07.02.2026. Considering the above facts and circumstances, this Court is of the view that no custodial interrogation is required.

8. In such view of the matter, the interim anticipatory bail granted to the petitioner by this Court in Crl.O.P.No.4092 of 2026, dated 19.02.2026, is made absolute on the same conditions.

30.03.2026

cda



WEB COPY



Crl.O.P.No.4092 of 2026

To

- 1.The Judicial Magistrate, Thiruvananthapuram.
- 2.The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.
- 3.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.4092 of 2026

C.KUMARAPPAN, J.

cda

Crl.O.P.No.4092 of 2026

30.03.2026