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CRL OP No. 5654 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5654 of 2026

T. Chandanakavi

..Petitioner(s)

Vs

The State Rep.by,
The Inspector of Police,
All Women Police Station Arani,
Tiruvannamalai District.
Cr.No.2/2026.

..Respondent(s)

Prayer: Criminal Original Petition is filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Cr.No.02 of 2026 pending investigation on the file of the respondent police.

For Petitioner(s):

Mr.H.Rambabu

For Respondent(s):

Mr.S.Vinoth Kumar

Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.02.2026 for the alleged offences under Section 376 (2) (IV) I.P.C. and r/w. Section 69 of BNS, in Crime No.2 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto-complainant are relatives and they were in love relationship for the past 7 years.



During this period, the petitioner allegedly committed sexual assault on the complainant under the guise of a promise to marry. Hence the case.

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3.The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 20.02.2026. He further submitted that there is no previous case against the petitioner. Hence, he submitted that this is a fit case in which the petitioner may be enlarged on bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the only allegation against the petitioner is that under the false promise of marriage the petitioner has committed offence under Section 376. He further submits that there is no previous case as against the petitioner.

5.According to the prosecution, the petitioner and the defacto-complainant has got seven years of relationship and only in furtherance thereto, it seems that this complaint has emerged. While looking at the factual position, the accused is behind the bars since 20.02.2026. The learned Government Advocate would fairly submits that there is no previous case against this petitioner. Therefore, taking into consideration of the totality of the circumstances, and the long acquaintance between the petitioner and the defacto-complainant, this Court is inclined to enlarge the petitioner on bail on



certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate, Arani**, and subject to the following conditions:

[a] 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;

[b] the petitioner shall report before the respondent police in the morning at 10.30 AM and evening at 5.30 PM for a period two weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;



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C.KUMARAPPAN, J.

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

05-03-2026

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To

1.The Judicial Magistrate, Arani

2.Central Jail, Vellore.

3.The Inspector of Police,
All Women Police Station Arani,
Tiruvannamalai District.

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