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Crl.O.P.No.6351 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.6351 of 2026

Giftson Isaac. J,
S/o.Jabaraj

... Petitioner

Vs.

State rep. by
The Inspector of Police,
AWPS, Denkani Kottai,
Krishnagiri – 635 107.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on anticipatory bail in the event of arrest in Crime Number. 3 of 2026 pending on the file of AWPS, Denkani Kottai, Krishnagiri – 635 107, likely to transfer to AWPS Thirupathur.

For Petitioner : Mr.M.Danabal
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl.Side)

For Intervener : Mr.V.Vasudevan

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 69, 351(2) of BNS Act, 2023 in Crime No.3 of 2026, on the file of the respondent Police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner and the de-facto complainant were working together and were travelling to various places and staying together during the course of their employment. The petitioner is alleged to have expressed his love towards the de-facto complainant and proposed marriage. It is further alleged that on 10.03.2025, the petitioner took photographs with the de-facto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that the petitioner is ready to co-operate with the investigation and abide by any other stringent conditions that may be imposed by this Court. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that, under a false promise of marriage, the petitioner had physical relationship with the de-facto complainant and has now refused to marry her by raising a religious issue. Hence, he opposed to grant anticipatory bail to the petitioner.



5. Upon considering the factual position, it is seen that the occurrence took place on 10.03.2025, whereas the FIR came to be registered only on 28.02.2026. Considering the nature of the allegations, the relationship between the parties for a considerable period and the delay in lodging the FIR, this Court is of the view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain 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 (15) days from the date on which the order copy is made ready, before the **Judicial Magistrate No.1, Krishnagiri**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a 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 identify proofs to ensure their identity;



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Crl.O.P.No.6351 of 2026

C.KUMARAPPAN, J.

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(c) The petitioner shall report before the respondent Police, everyday at 10.30 a.m. or a period of two weeks;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the

conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

25.03.2026

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To

- 1.The Judicial Magistrate No.1, Krishnagiri.
2. The Inspector of Police, AWPS, Denkani Kottai, Krishnagiri – 635 107
- 3.The Public Prosecutor, High Court of Madras.

Crl.OP.No.6351 of 2026