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CRL OP No. 9210 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9210 of 2026

Madhesh

..Petitioner(s)

Vs

State by its
Inspector of police
All women Police Station,
Arakkonam,
Ranipet District.
(Crime.No.25/ 2026)

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the Petitioner on bail in the event of his arrest in Crime No.25 of 2026 on the file of the Respondent and thus render justice.

For Petitioner(s): Mr.K.G.Senthil Kumar

For Respondent(s): Mr.P.Dhileepan
Government Advocate
(Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Section 420 Indian Penal Code (IPC), in Crime No.25 of 2026, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner, under the pretext of a promise to marry, engaged in sexual intercourse with the defacto complainant. It is further alleged that when the defacto complainant requested the petitioner to solemnize the marriage, he refused to do so, leading to the registration of the present case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated. He contended that while the parties were in a consensual relationship, the petitioner never made a fraudulent promise to marry with the intent to deceive from the inception. He highlights a significant and unexplained delay in the prosecution's narrative, noting that the alleged incidents occurred in the year 2023, whereas the F.I.R was lodged only in 2026. He further submits that the petitioner is a law-abiding citizen with no adverse antecedents and that custodial interrogation is unnecessary as the investigation is well underway. The petitioner also undertakes to cooperate fully with the investigation and abide by any conditions imposed by this Court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposes the grant of anticipatory bail, reiterating the allegations in the FIR. However, on instructions, he confirms that the petitioner and the de facto complainant were in a consensual relationship and that the



current dispute arose following a personal misunderstanding. He also confirms that the petitioner has no previous criminal record.

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5. Considering the nature of the allegations and the fact that the petitioner has no prior criminal record, this Court takes particular note of the three-year delay in filing the FIR (from 2023 to 2026), this Court is of the view that custodial interrogation is not required for the purpose of investigation. Consequently, 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 learned Judicial Magistrate, Sholingur, Ranipet District, 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(s) 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;



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(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;

(c) The petitioner(s) shall report before the respondent police daily at 10.30 a.m., and 5.30 pm. for a period of 15 days and thereafter as and when required for interrogation;

(d) the petitioner(s) shall not tamper with evidence or witness either during investigation or trial;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner(s) in accordance with law as if the conditions have been imposed and the petitioner(s) 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]***;



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

15-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Jeni

To

- 1.The Judicial Magistrate, Sholingur, Ranipet District.
- 2.The Inspector of police, All women Police Station, Arakkonam, Ranipet District.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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