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CRL OP No. 10953 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 10953 of 2026

P.Elankavi

..Petitioner(s)

Vs

State Rep by,
Inspector of Police
All Women Police Station,
Chengam, Tiruvannamalai District.
Cr.No.8/2026

..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 the petitioner arrest pending investigation in Crime No.8 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.D.Raja

For Respondent(s): Mr.P.Dhileepan
Govt.Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Sections 417, 294(b) and 506(i) of the Indian Penal Code (IPC), 1860 read with Section 4 of the Tamil Nadu



Prohibition of Harassment of Women Act, 2002, in Crime No.8 of 2026, seeks anticipatory bail.

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2. This is the second application for anticipatory bail filed by the petitioner. The learned counsel for the petitioner submits that the earlier application was dismissed for non-prosecution. He further submits that the petitioner who is innocent, has been falsely implicated, and that the allegations arise from a consensual relationship. He states that the petitioner is a law-abiding citizen with no prior bad antecedents and is willing to abide by any stringent conditions.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing the grant of anticipatory bail, is that the petitioner, by making a false promise of marriage without any intention of fulfilling it, had sexual intercourse with the defacto complainant and subsequently, refused to marry her, and thus, cheated her.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials available on record.



5. Taking note of the facts and circumstances of the case, and considering that the allegations arise from a relationship between two adults in which case custodial interrogation is deemed unnecessary at this stage, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following 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 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.1, Sivagangai, Sivagangai 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 that:

[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 suretyship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a



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copy of any one of identity proofs to ensure their identity;

[c] The petitioner shall report before the respondent police daily at 06.30 p.m., until further orders;

[d] The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] The petitioner shall make himself available for interrogation by a Police officer as and when required;

[f] The petitioner shall give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he will comply with the directions as may be given by the Court in this regard;

[g] The petitioner shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action 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



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Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala*
[(2005) AIR SCW 5560];

[i] If the petitioner thereafter absconds, a fresh FIR can
be registered under Section 269 of BNS Act.

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

Jeni

To

- 1.The Judicial Magistrate No.1, Sivagangai, Sivagangai District.
- 2.The Inspector of Police, All Women Police Station,
Chengam, Tiruvannamalai District.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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A.D.JAGADISH CHANDIRA, J.

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