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CRL OP No. 12098 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12098 of 2026

Suresh Kumar

..Petitioner

Vs

State rep.by
The Inspector of Police,
Kadaladi Police Station,
Thiruvananthali District.
(Crime No.57 of 2026)

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of arrest in Crime No.0057 of 2026 pending on the file of the respondent.

For Petitioner:

Mr.P.Muthamizh Selvakumar

For Respondent:

Ms.R.S.Indira
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 406, 417, 420, 508, 509, 506(2), 376 of Indian Penal Code and 67 of the Information of Technology Act, 2000 in Crime No.0057 of 2026 on the file of the respondent police seeks anticipatory bail.



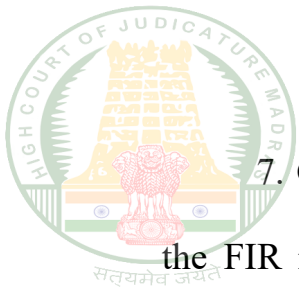
2. The case of the prosecution is that the petitioner and the de-facto complainant were in a consensual relationship since 2022. The present complaint was filed on 10.03.2026, leveling allegations of cheating and rape.

3. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Counsel for the intervenor strongly opposes the petition and submits that the petitioner has uploaded obscene photographs of the de-facto complainant and used to threaten her.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that there are no adverse antecedents against the petitioner. However, she opposed to grant anticipatory bail to the petitioner.

6. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.



7. Considering the totality of the circumstances, a prima facie perusal of the FIR reveals that the relationship between the petitioner and the de-facto complainant appears to be consensual in nature, and they have been cohabiting since 2022. Although there are serious allegations and counter-allegations and the learned Counsel for the intervenor strongly objects to the grant of bail, this Court is of the view that, since there are no adverse antecedents against the petitioner, custodial interrogation is not required at this stage. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions

8. 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 District Munsif cum Judicial Magistrate Court, Kalasapakkam** 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



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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 shall report before the respondent Police, daily at 10.30 a.m. until further orders;

(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 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

VEDA



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C.KUMARAPPAN, J.

VEDA

To

1.The District Munsif cum Judicial Magistrate Court,
Kalasapakkam.

2.The Inspector of Police,
Kadaladi Police Station,
Thiruvanamali District.

3.The Public Prosecutor,
Madras High Court.

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