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Crl.O.P.No.13009 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2026

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

Crl.O.P.No.13009 of 2026

M.Siva

... Petitioner

Vs.

The State Represented by its
The Inspector of Police,
AWPS - Tharamani Police Station.
(Crime No.04 of 2026)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner anticipatory bail in the event of his arrest in Crime No.04 of 2026 pending investigation on the file of the respondent police.

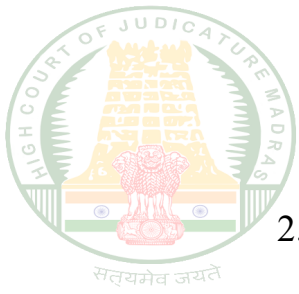
For Petitioner : Mr.A.Manoj Kumar

For Intervenor : Mr.M.Mahendran

For Respondent : Mrs.R.S.Indira,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 69 of the Bharatiya Nyaya Sanhita, in Crime No.04 of 2026, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that, under the pretext of marriage, the petitioner had a physical relationship with the de facto complainant and thereafter refused to marry her. Hence, the case.

3. The learned counsel for the petitioner submitted that, according to the allegations made in the FIR, the petitioner and the de facto complainant were in a relationship for more than 11 months prior to the registration of the present complaint on 19.04.2026. He further submitted that the petitioner is innocent and has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned counsel for the intervenor would submit that the petitioner, under a false promise of marriage, had a relationship with the de facto complainant and thereafter received a sum of Rs.40,000/-. The petitioner neither returned the said amount nor agreed to marry the de facto complainant.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the anticipatory bail application and would submit



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that the de facto complainant belongs to the Scheduled Caste Community and that the petitioner refused to marry her. However, there is no such allegation in the FIR.

6. Taking into consideration of the totality of the circumstances and the fact that the occurrence commenced in March 2025 and the FIR came to be registered only on 19.04.2026, this Court is of the firm view that, at this length of time, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions:

7. 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 **Additional Mahila Court, Alandur**, 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)



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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;

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

(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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To

- 1.The Additional Mahila Court, Alandur.
- 2.The Inspector of Police,
AWPS – Tharamani Police Station.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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