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CRL OP No. 15096 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15096 of 2026

Siva @ Karthikeyan

..Petitioner

Vs

State rep.by
The Sub-Inspector of Police,
All women Police Station,
Vadapalani,
Chennai city.

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the petitioner on bail in the event of arrest pending investigation in Cr.No.10 of 2026 on the file of the respondent police station.

For Petitioner:

Mr.Rahamath Ali

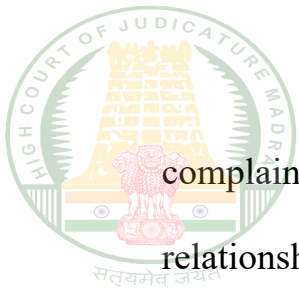
For Respondent:

Mr.N.Palanivel,
Govt.Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 69 of BNS in Crime No.10 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. The petitioner had a physical relationship with the de facto complainant on the promise of marriage.

Subsequently, the petitioner failed to comply with his promise. Hence, the case

3. The learned counsel for the petitioner submitted that, even according to the prosecution's case, the de facto complainant's marriage was still subsisting. Despite this, she developed a relationship with the petitioner and had been in that relationship since 2024. According to the prosecution, the petitioner promised to marry her, and it was under such inducement that a physical relationship took place.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and strongly opposed the grant of anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, though there is allegation against this petitioner, the fact remains that both of them are majors and had consensual relationship since 2024. Hence, this Court is of the firm



view that custodial interrogation of the petitioner is not required at this length of time. Hence, this Court is inclined to grant anticipatory bail to the petitioner, 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 XXIII Metropolitan Magistrate, Saidapet, Chennai**, 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;

(c) The petitioner shall report before the respondent Police, everyday 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



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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.

16-06-2026

SHL

1. The XXIII Metropolitan Magistrate, Saidapet, Chennai
2. The Sub-Inspector of Police,
All women police station,
Vadapalani, Chennai city.
3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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