



CrI.O.P.(MD)No.2438 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 2438 of 2026

Mohammed Ashik

... Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station,
Tallakulam, Madurai District.
(Crime No.32 of 2025)

...Respondents/Complainant

For Petitioner : Mr.V.Kathirvel, Saenior Counsel,
for Mr.Mark J.Jackson
Advocate.

For Respondent : Mr.G.Ganesh Kumar
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.483 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 32 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 69 and 351(2) of BNS, in Crime No.32 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on false promise to marry the defacto complainant, the petitioner developed love affair with her and also had sexual intercourse with her several times. Thereafter when the defacto complainant went to Dubai for her Job, the family members of the petitioner arranged married for the petitioner with another woman. Though the marriage was stopped by the defacto complainant, again they arranged marriage with another woman. Hence, the case.

3.The learned counsel for the petitioner submits that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. In order to extract money this false complaint has been lodged. No such incident occurs as alleged by the defacto complainant. Hence, he prays to grant Anticipatory Bail to the petitioner.

4. The learned Government Advocate (CrI. Side) submits that the offences are grave in nature. The petitioner has cheated the defacto complainant by false promise. Investigation is still pending. The petitioner has no previous case. He vehemently opposed the grant of anticipatory bail to the petitioner.



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5. Heard both sides and perused the materials available on record.

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6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, the occurrence took place in the year 2017, but, the complaint was lodged on 2025, by this time investigation might have been completed, the petitioner has no previous case, already this Court granted interim anticipatory bail to the petitioner, even after the mediation process the matter has not been amicably settled between them, and considering all other facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] 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 made ready, before the learned **Judicial Magistrate No.II, Madurai**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[b] the petitioner shall report before the respondent police at 10.30 a.m., on every Saturday, until further orders:



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[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)
03.06.2026

TM

To

- 1.The Judicial Magistrate No.II, Madurai.
- 2.The Inspector of Police,
All Women Police Station, Tallakulam, Madurai District.



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3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

TM

ORDER
IN
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