

**IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.**

**Present: Tmt. G. VIJAYA, B.A., M.L., PGDCFS,
PRINCIPAL DISTRICT & SESSIONS JUDGE, COIMBATORE**

Monday, this the 16th day of March, 2026

CRIMINAL MISCELLANEOUS PETITION No.920/2026

Aswath Kumar (Age 23 years),
S/o. Ravikumar.

... Petitioner / Accused

/vs/

State, Rep. by
through the Inspector of Police,
AWPS Selvapuram Police Station,
Crime No. 205/2024.

Offence: u/s.417, 376 of IPC.

Through the Public Prosecutor, Coimbatore.

... Complainant

(The Judicial Magistrate, Additional Mahila Court, Coimbatore.)

This petition has been filed through **e-Filing** on behalf of the petitioner to release him on anticipatory bail u/s.482 of BNSS

This petition is coming on this day for final hearing before this Court in the presence of **Thiru. Ravishankar**, Advocate for the petitioner/accused and **Thiru. V. Ravichandran, Public Prosecutor**, represented for State, upon perusing the petition submitted and upon hearing both side arguments, this Court pronounced the following:-

ORDER

Heard both side.

The petitioner is the accused in Crime No.205/2024 of AWPS Selvapuram Police Station, since he is apprehending arrest in the hands of the respondent police for the alleged offence u/s.417, 316 of IPC, he has filed this petition, seeking grant of Anticipatory bail.

2. The learned counsel for the petitioner has submitted that the previous anticipatory bail application filed by the petitioner in CMP No.5555/2024 was dismissed by this Court on 04-02-2025. The FIR was registered on 18-10-2024 and

for the past 1½ years, the respondent police have failed to produce any valid evidence against the petitioner and without considering the true facts and circumstances, have filed the case against the petitioner. After receipt of notice u/s 41A Cr.P.C, the petitioner attended all enquiry proceedings and most of the investigation procedures have already been completed by the respondent police. The petitioner is ready to abide any conditions imposed by this Court and prays for grant of anticipatory bail to him.

3. Today, the victim appeared before this Court and represented that the petitioner's mother is the only one opposed to conducting the marriage between her and the petitioner. The victim further stated that although they agreed to solemnize the marriage during the mediation process, the petitioner's side did not do so subsequently; therefore, she objects to granting anticipatory bail to the petitioner.

4. Heard. As per the prosecution case, by giving false promise to marry the defacto complainant, the petitioner had sexual relationship with her and later he refused to marry her. It is the main contention of the petitioner that, he had earlier filed anticipatory bail application in CMP No.5555/2024 before this Court and on 04-10-2024, this Court was pleased to grant interim anticipatory bail to him in order to participate in the mediation process and during the mediation proceedings, the defacto complainant intentionally imposed severe and unreasonable conditions to the petitioner and after about 5 months of negotiation, the interim anticipatory bail was cancelled and the petition was dismissed by this Court on 04-02-2025 and the petitioner attended all enquiry proceedings before the respondent police and most of the investigation procedures have already been completed by the respondent police and hence there is a change in circumstances, and prays for grant of anticipatory bail to the petitioner. Per contra, the victim objected this petition stating that although the petitioner and his family agreed to solemnize the marriage during the mediation process, the petitioner's side did not do so subsequently and hence she strongly opposed to grant anticipatory bail to the petitioner. The learned Public Prosecutor has submitted that by giving false promise to marry the defacto complainant, the petitioner had sexual relationship with her and later he refused to marry her and opposed to grant anticipatory bail to the petitioner. After considering all the above said aspects, considering the nature of offence, nature of allegation, **this Court is not inclined to grant anticipatory bail to the petitioner.**

Hence this petition is dismissed.

This order is dictated to steno-typist, typed by her, corrected and pronounced by me on this 16th day of March, 2026.

PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.

CC to :

1. The Judicial Magistrate, Additional Mahila Court, Coimbatore.
2. The Public Prosecutor, Coimbatore.
3. The Inspector of Police, AWPS Selvapuram Police Station,
4. Counsel for the Petitioner / Accused.