

CRL OP(MD). No.22636 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

RESERVED ON:09.10.2026

PRONOUNCED ON: 16.10.2026

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

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M.Muruganantham @ Karuppu ... Petitioner/
Accused No.1

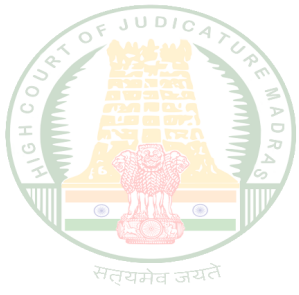
Vs

The State of Tamilnadu,
represented by
The Inspector of Police,
All Women Police Station,
Sri Rangam,
Trichy City.
(Crime No.32 of 2026) ...Respondent/Complainant

For Petitioner : Mr.R.Gandhi
Senior Counsel
for Mr.R.Venkatesan

For Respondent : Mr.John Sathyan
State Public Prosecutor
assisted by
Mr.T.Lenin Kumar
Additional Public Prosecutor

For Intervenor : Mr.J.Jeyakumaran
Advocate



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WEB COPY PETITION FOR ANTICIPATORY BAIL Under Section 482
of B.N.S.S.

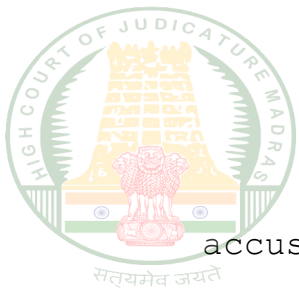
PRAYER :-

For Anticipatory Bail in Crime No. 32 of 2026 on
the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.1, who apprehends
arrest at the hands of the respondent police for the
offences punishable under Sections 69, 77, 318,
351(3) of BNS and 66E and 67 of I.T., Act Crime No.32
of 2026 on the file of the respondent police, seeks
anticipatory bail.

2. The case of the prosecution is that the
defacto complainant is a resident of Bangalore and
she is holding State level post in Bharatiya Janata
Party, that the petitioner/first accused was one of
the General Secretary of the Bharatiya Janata Party
in Tamil Nadu, that the petitioner became acquainted
with the defacto complainant through the second



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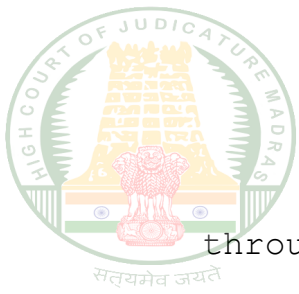
accused in July 2024, that due to the family dispute between the defacto complainant and her husband, divorce proceeding is pending in a Court at Bangalore, that the petitioner assuring to marry her, settled the defacto complainant and her two children at Srirangam and started to live with them, that the petitioner persuaded the defacto complainant to sell her house situated in Bangalore and due to the pressure exerted, she executed a sale deed on 14.01.2025 in favour of one Hariharan, but the entire sale consideration amounting to approximately Rs.4Crores was swindled by the petitioner, that the petitioner started to abuse the complainant and compelled her to have sexual relationship with other politicians in New Delhi and Chennai, that since the defacto complainant questioned about the sale consideration and transfer of the said property to another person, he started to harass the defacto complainant, that the defacto complainant was constrained to lodge a complaint before the party head in New Delhi and after enquiry, the petitioner was removed from the post of the General Secretary,



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that the petitioner in order to take revenge, in collusion with the other accused, have uploaded the nude photos and videos of the defacto complainant in the Porn websites, that the defacto complainant, after coming to know about the same and while checking it, she came to know that the petitioner had taken secret videos of the defacto complainant at the time of bathing and in other situation, that the accused including the petitioner have created AI generated nude videos and they have also morphed the face of the defacto complainant along with the other political leaders in Tamil Nadu and uploaded the same, that the petitioner subjected the defacto complainant to threats and intimidations continuously and that therefore, she was forced to lodge the above complaint.

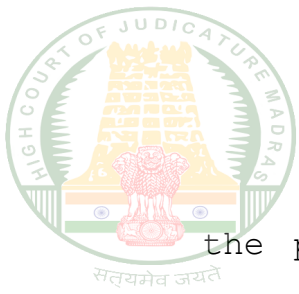
3. The case of the petitioner/first accused is that he is innocent and he has not committed any offence as alleged in the F.I.R., that the petitioner has played a vital role in the BJP party and he has been doing so many welfare measures to the people



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through his party, that the defacto complainant was introduced by the second accused in 2024 stating that her husband had committed cruelties and she has been abandoned by her husband along with her children and her divorce petition is pending, that the defacto complainant wanted to join the political party for the strong support and safety for herself and her children, that the defacto complainant demanded money as a hand loan from the petitioner for the education purposes of her children and the petitioner had also given huge amount through bank transfers to the defacto complainant's bank account and her relatives, that the petitioner took her to the political meetings held anywhere by spending expenses, that in the meanwhile, the petitioner came to know that the defacto complainant has been cheating him for extorting money and she had developed relationship with some other persons and subsequently there arose difference of opinion between them, that the complainant started to make threats, that if the defacto complainant is not made out as MLA or MP, she will infringe the reputation of the petitioner among



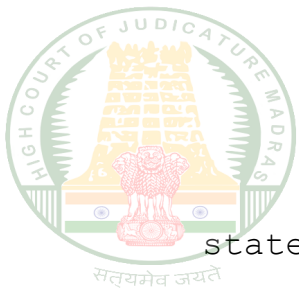
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the public, that the defacto complainant suppressing the material facts, lodged a complaint with false and untenable allegations and that therefore, he may be granted anticipatory bail.

4. The respondent police filed a counter affidavit raising serious objections for grant of anticipatory bail.

5. The learned Senior Counsel appearing for the petitioner would submit that the entire prosecution case is false, that the relationship between the petitioner and the defacto complainant was consensual and there was never any false promise of marriage, that the defacto complainant is admittedly a married woman and her divorce proceedings are pending between her and her husband before the Bangalore Court and that the allegation of sexual intercourse on a false promise of marriage is legally unsustainable.

6. The learned Senior Counsel would further contend that the petitioner has produced his bank

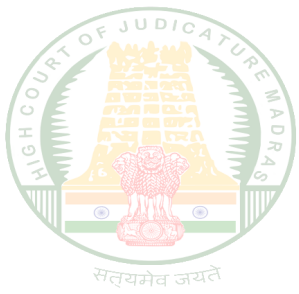


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statements to show that he had transferred the amounts approximately to the tune of Rs.59,00,000/- to the bank account of the defacto complainant and her relatives, that the above transactions would go to show the financial dealings between the parties and falsify the allegation of the defacto complainant that the petitioner had dishonestly misappropriated the sale consideration belonging to the defacto complainant, that the petitioner has not created, uploaded or circulated any nude photographs, videos or morphed images of the complainant and that there is no material connecting the petitioner with the alleged circulation of the photographs and videos.

7. The learned Senior Counsel, in support of his submission, placed reliance upon the judgments of the Hon'ble Supreme Court in ***Rajnish Singh @ Soni Vs. State of U.P., and another*** reported in ***2025 LiveLaw (SC) 279***; in ***Martanda Singh Vs. State of Chhattisgarh and another*** reported in ***2026 SCC Online SC 2058*** and in ***Pramod Kumar Navratna Vs. State of Chhattisgarh***

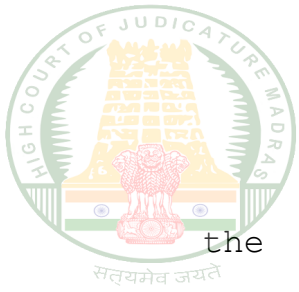


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contended that the consensual relationship between the two adult persons cannot be converted into a criminal offence, merely because the relationship has failed or promise of marriage has not been fulfilled.

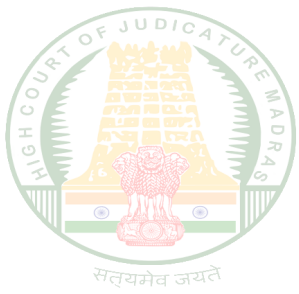
8. The learned Counsel for the intervenor/defacto complainant would submit that the petitioner, taking advantage of the confidence reposed in him, exploited her physically and financially, that the divorce proceedings pending before the Bangalore Court were themselves initiated with the assistance of the petitioner, that the petitioner alone had induced the complainant to dispose of her immovable property at Bangalore and he had taken away the entire sale consideration, that the bank statement produced by the petitioner do not show that the entire sale consideration was paid to the defacto complainant, that the subsequent circulation of nude photographs, videos, morphed images has caused serious distress and humiliation to



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the defacto complainant and that the persons responsible for creating, uploading and sending such materials have to be identified.

9. The learned State Public Prosecutor would reiterate the submissions of the learned Counsel for the defacto complainant and would further contend that the allegations against the petitioner are grave and serious, that the present case involves not only a dispute arising out a personal relationship, but also the allegations of financial exploitation, criminal intimidation and creation and circulation of objectionable photographs and videos of the defacto complainant, that the electronic devices, digital records and financial transactions and the role played by the persons involved in creating and uploading the objectionable photographs and videos have to be investigated and that granting of anticipatory bail at this stage would hamper the ongoing investigation.



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10. No doubt, the petitioner has taken a specific stand that the relationship between him and the defacto complainant was consensual and that he had never made any promise of marriage, but the said defence cannot, by itself, be considered as an answer to the said allegations levelled against him. Whether any promise of marriage was made, whether the said promise was false from its inception and whether the defacto complainant consented to the physical relationship on the basis of such promise, are matters required to be investigated in the light of the materials collected during investigation.

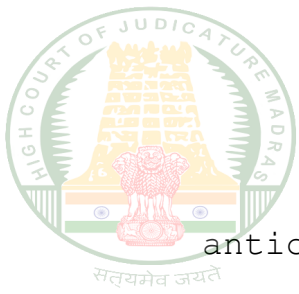
11. In **Rajnish Singh @ Soni's case** referred supra, the Hon'ble Supreme Court considered the circumstances relating to a prolonged consensual relationship for a period of 16 years, her conduct in representing herself as the wife of the accused and the absence of sufficient material showing deception from the inception and quashed the criminal proceedings. In **Martanda Singh's case** referred above also, the Hon'ble Supreme Court dealt with the



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allegations arising out of the consensual relationship extending over some years. In **Pramod Kumar Navratna's case**, the Hon'ble Supreme Court specifically considered the effect of subsistence of the complainant's marriage and the pendency of the divorce proceedings, while considering the allegation of the sexual intercourse on a false promise of marriage.

12. There can be no dispute with regard to the legal dictum laid down in the above decisions. The Hon'ble Supreme Court has reiterated the distinction between a false promise of marriage made without any intention of fulfilling it from the very inception, and a genuine promise of marriage which could not be subsequently fulfilled. In the case on hand, no doubt, as already pointed out, the marriage between the defacto complainant and her husband is subsisting, as the divorce proceedings are pending before the competent Court at Bangalore. As rightly contended by the learned Counsel for the defacto complainant, the present petition is one seeking



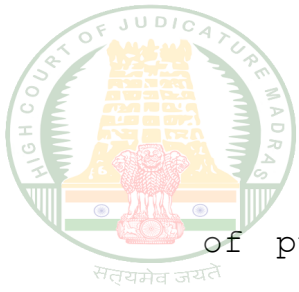
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anticipatory bail and not for quashing of the criminal proceedings.

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13. The learned Senior Counsel for the petitioner would further contend that, except the offence under Section 69 BNS, the remaining offences alleged against the petitioner are punishable with imprisonment not exceeding 7 years and that in view of the principles laid down by the Hon'ble Supreme Court governing arrest in such cases, the petitioner is entitled to anticipatory bail.

14. No doubt, in respect of offences punishable with imprisonment not exceeding 7 years, the power of arrest is regulated by Section 35 of BNSS. The Hon'ble Supreme Court in **Satender Kumar Antil Vs. Central Bureau of Investigation and another**, has reiterated the legal position that issuance of notice is the rule and the arrest is an exception in such cases. But at the same time, the said principle does not confer any automatic or indefeasible right to anticipatory bail merely on the basis of the quantum



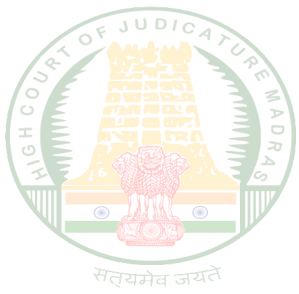
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of punishment prescribed for the alleged offences.

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The petitioner has disputed the applicability of Section 69 BNS by placing upon the decisions referred supra. But at the same time, the question whether the ingredients of Section 69 BNS are made out, cannot be decided in the present proceedings.

15. As rightly contended by the Special Public Prosecutor, the other allegations concerning the criminal intimidation and the creation and the circulation of nude photographs and videos and morphed images require independent investigation. No doubt, the mere fact that the punishment prescribed for the other alleged offences does not exceed 7 years, would not by itself entitle the petitioner to get anticipatory bail. The Investigating Agency is duty bound to comply with the statutory safeguards governing arrest and cannot effect an arrest merely because the allegation are serious and that the investigation is pending.

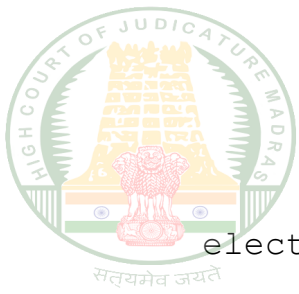


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16. As already pointed out, the petitioner has produced bank statements showing that the had transferred the amounts to the tune of Rs.59,00,000/- to the defacto complainant, but at the same time, the defacto complainant has specifically alleged that the petitioner has swindled the entire sale consideration to the tune of Rs.4Crores. Considering the above, the purpose of the transfers relied upon by the petitioner, the manner in which the sale consideration was received and utilised and the nature of financial dealings between the parties are in dispute, requiring the examination of relevant records.

17. As rightly contended by the learned Counsel for the defacto complainant, the allegations regarding the creation and circulation of nude photographs and videos and morphed images, if proved, would involve a serious invasion of the privacy, dignity and reputation of the defacto complainant and as such, the Investigating Officer is required to ascertain the origin of the objectionable materials,

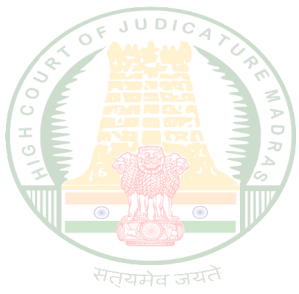


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electronic devices and the accounts used for its creation and circulation, the persons responsible for uploading and forwarding it and the role if any played by the petitioner and the other accused. No doubt, as rightly pointed out by the learned Senior Counsel for the petitioner, the mere circulation of objectionable material by itself would not show the involvement of the petitioner, but his alleged participation has to be decided on the basis of the materials collected during the investigation.

18. It is pertinent to note that this Court while reserving the above petition for orders, directed the respondent police to take immediate and necessary steps to ensure the removal of nude photographs, videos and morphed images of the defacto complainant from the websites and the said direction was issued, taking note of the submission of the learned Counsel for the defacto complainant that the same are still available in certain websites and online platforms.



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19. As rightly contended by the learned Special Public Prosecutor, the investigation involves several aspects, including the identification of the persons responsible for creating, uploading and circulating the objectionable photographs and videos, devices used for such purpose, the communications between the accused and the financial transactons alleged in the complaint. The political positon allegedly held by the petitioner, the relationship between the parties and the financial transactions claimed by the petitioner are not by themselves sufficient enough to grant the petitioner, the relief claimed.

20. Considering the above facts and circumstances, the nature and gravity of the allegations, the requirement of tracing the sources of objectionable electronic materials, the apprehension of the defacto complainant with regard to the interference with the ongoing investigation and the criminal intimidation by the petitioner and more importantly, the investigation is at crucial stage, this Court is of the considered view that the



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petitioner has not made out a case for the grant of anticipatory bail at this stage.

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21. In the result, the Criminal Original Petition is dismissed. The respondent police shall proceed with the investigation in accordance with law and also take all necessary steps to comply with the directions already issued by this Court regarding the removal of objectionable photographs and videos from the website and online platforms concerned.

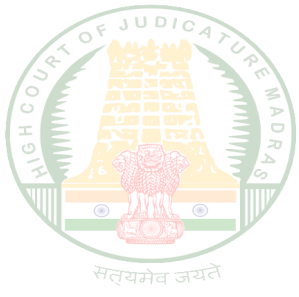
(K M S J)

16.10.2026

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TO

1. The The Inspector of Police,
All Women Police Station,
Sri Rangan,
Trichy City.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

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PRE-DELIVERY ORDER MADE IN
CRL OP (MD) . No.22636 of 2026

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