



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. _____/2026
[ARISING OUT OF SPECIAL LEAVE PETITION (CRIMINAL) NOS.
11296-11297/2025]

T LENIN

APPELLANT(S)

VERSUS

THE STATE OF TAMIL NADU & ANR.

RESPONDENT(S)

O R D E R

1. Leave granted.
2. Heard learned counsel for the parties.
3. This appeal impugns two orders, namely, order dated 28.02.2025, by which the anticipatory bail granted to the appellant was cancelled, and order dated 24.06.2025, by which the appellant was required to be taken into custody for not participating in mediation.
4. Briefly stated the facts are as under:
5. According to the prosecution case, the appellant proposed to marry the prosecutrix. However, the prosecutrix spurned the proposal. Then on 20.08.2017, the prosecutrix was sexually assaulted by the

appellant, this resulted in a pregnancy, which was got terminated. Later, families of both sides agreed to solemnize their marriage whereafter the prosecutrix was again sexually exploited. And thereafter again, the appellant refused to marry her. Based on those allegations, FIR No.14 of 2023 was lodged against the appellant. In that backdrop, the appellant applied for anticipatory bail. On 05.04.2025, the appellant was given interim protection subject to the condition that appellant shall provide a sample for DNA profiling.

6. The above condition was fulfilled. Consequently, the anticipatory bail prayer was accepted *vide* order dated 07.06.2024. Later, on 25.08.2024, the mother of the prosecutrix lodged FIR No.158 of 2024 alleging that four named persons attacked her and her husband during a temple festival.
7. Based on that incident, an application was submitted seeking cancellation of the anticipatory bail granted to the appellant.
8. The said application was allowed *vide* first impugned order dated 28.02.2025, and parties were directed to undertake mediation. Later, by the second impugned order, the High Court directed the State Agencies to take the appellant into custody for having failed to

appear in the mediation proceedings.

9. The submission on behalf of the appellant is that he is not an accused in FIR No.158 of 2024 and even after investigation he is not an accused. In such circumstances, it cannot be said that the appellant had misused the protection of anticipatory bail. It has also been submitted that no party can be forced to undertake mediation. Even if a party had agreed for mediation initially but withdraws later, the Court has no jurisdiction to direct a forced mediation. Because the fundamental feature of mediation is voluntary participation.
10. The learned counsel for the State submits that FIR No.158 of 2024 is still under investigation.
11. Be that as it may, the protection granted to the appellant was in connection with the FIR No.14 of 2023. Insofar as FIR No.158 of 2024 is concerned, the appellant is not named as accused and, therefore, in our view, based on such an FIR i.e., where the appellant is not an accused, there is no justification to cancel the anticipatory bail.
12. In such circumstances, we deem it appropriate to set aside the orders dated 28.02.2025 and 24.06.2025 and

restore the anticipatory bail order. It is made clear that the appellant shall participate in the trial emanating from FIR No.14 of 2023 and shall not threaten the witnesses or tamper the evidence.

13. The appeals are allowed in the aforesaid terms.
14. All pending applications shall stand disposed of.

.....J
[MANOJ MISRA]

.....J
[VIJAY BISHNOI]

New Delhi
July 22, 2026

ITEM NO.1

COURT NO.10

SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) Nos.11296-
11297/2025

[Arising out of impugned final judgment and order dated 28-02-2025 in CRLMP No. 15842/2024 and order dated 24-06-2025 in CRLMP No. 15842/2024 passed by the High Court of Judicature at Madras]

T LENIN

Petitioner(s)

VERSUS

THE STATE OF TAMIL NADU & ANR.

Respondent(s)

IA No. 174830/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 174833/2025 - EXEMPTION FROM FILING O.T., IA No. 269097/2025 - EXEMPTION FROM FILING O.T., IA No. 174837/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 22-07-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) :Mr. R. Sudhakaran, AOR
Mr. J.Ragahav Prakash, Adv.
Mrs. Shalini Mishra, Adv.

For Respondent(s) :Mr. B. Karunakaran, AOR
Ms. Jayasri, Adv.

Mr. M. Veeraragavan, AOR
Mr. E. Krishnapurumal, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The appeals are allowed in the signed order which is placed on the file.
3. All pending applications shall stand disposed of.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)