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Crl.O.P.No.1218 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP No.1218 of 2026

M.Aravindan @ Daniel @ Aravind

... Petitioner

Vs

The State Rep by,
The Inspector of Police,
W-4 All Women Police Station (AWPS),
Kilpauk, Chennai- 600 010.
(Crime No.10 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of B.N.S.S Act, to enlarge the petitioner on Anticipatory bail in the event of his arrest in Crime No.10 of 2025 pending on the file of the respondent police.

For Petitioner : Mr. G.Sumathi

For Respondent : Ms. J.R.Archana,
Government Advocate (Crl. Side)



ORDER

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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 64 and 351(3) of BNS, 2023 in Crime No.10 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioner is that the petitioner taking advantage of relationship with the victim lady, had given an intoxicated drink and raped her. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that this is the counter complaint lodged by the defacto complainant herein against the complaint lodged by the petitioner in Crime No.163 of 2025 regarding threat and attack made on him. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that investigation completed, final report filed, petitioner had also appeared for enquiry based on the summons issued



under Section 35 of BNSS, however final report has not been taken on file.

Hence, he opposed for grant of bail to the petitioner.

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5. Considering the nature of allegations and the submission made on both side, and allegation that there is counter complaint lodged by the defacto complainant as against the Crime No. 163 of 2025 already investigation completed, final report is also filed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6. 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 of receipt of a copy of this order, before the learned **Chief Metropolitan Magistrate (CMM) Court, Egmore, Chennai** on condition that each of the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen 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 the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

[f] the petitioner shall undergo for medical examination, if any, during investigation or during trial process.

27.01.2026

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Crl.O.P.No.1218 of 2020

To
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1. Chief Metropolitan Magistrate (CMM) Court, Egmore, Chennai
2. The Inspector of Police,
W-4 All Women Police Station (AWPS),
Kilpauk, Chennai- 600 010.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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