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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.35230 of 2025

J.Fazal Mohamed

... Petitioner

Versus

The State rep by its,
The Inspector of Police,
W-38 Kolathur AWPS, Kolathur,
Chennai District.
(Crime No.10 of 2025)

.. Respondent

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

For Petitioner : Mr.Haja Mohideen Gisthi

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

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 69 of BNS, 2023 in Crime No.10 of 2025 registered on the file of the respondent police seeks anticipatory bail.

2.The allegation against the petitioner is that he developed a relationship with the defacto complainant, aged about 24 years, and on a



promise to marry her, had sexual relationship with her, which resulted in pregnancy. It is further alleged that when the defacto complainant demanded marriage, the petitioner, along with his friends, scolded her, abused her and also threatened her with dire consequences. Hence, the complaint was lodged.

3. The learned counsel appearing for the petitioner submitted that the petitioner, aged 27 years is an innocent person and has been falsely implicated in this case. He further submitted that the relationship between the petitioner and the defacto complainant was consensual in nature. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation is still pending. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, the age of the victim and also considering the fact that the petitioner and the defacto complainant were in a relationship for some period and that there were several online communications between them,



this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Metropolitan Magistrate, Additional Mahila Court, Egmore*, on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police, everyday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the



learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

02.01.2026

drl

To

1.The Metropolitan Magistrate,
Additional Mahila Court, Egmore,

2. The Inspector of Police,
W-38 Kolathur AWPS, Kolathur,
Chennai District.

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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