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Crl.O.P.No.35386 of 2025 and
Crl.M.P.No.1768 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2026

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.35386 of 2025 and
Crl.M.P.No.1768 of 2026

Aravind A

... Petitioner

Vs.

The State
Rep. by the Inspector of Police,
All Women Police Station, Arni,
Tiruvannamalai District.
(Crime No.34 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.34 of 2025 on the file of the respondent police.

For Petitioner : Mr.Parthasarathy M
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)
For Intervenor : Mr.R.Vijayakumar

ORDER

The petitioner apprehends arrest for the alleged offence **under Sections 420 of the Indian Penal Code, 1860 in Crime No.34 of 2025** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner herein is the



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husband of the defacto complainant herein and he allegedly collected a sum of Rs.5 lakhs and Rs.50,000/- cash from her and apart from that he has received 4 sovereigns of gold belongs to her. Thereafter, he subjected her to continuous harassment, compelling her to desert the matrimonial home and lodged a complaint. Subsequently, it revealed that the petitioner had married another woman by suppressing his earlier marriage. Hence a case has been registered on the basis of complaint lodged by the defacto complainant.

3. The learned counsel for the petitioner submitted that the petitioner herein has not collected any money as alleged in the First Information Report and the allegations levelled in this case are taken place in the year 2023 and that it is a false accusation. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to cooperate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned counsel for the intervenor submitted that the petitioner has collected a huge amount of Rs.5 lakhs and Rs.50,000/- cash and also gold jewels from the defacto complainant and thereafter refused to hand over the same. He further submitted that the petitioner has also married another woman suppressing his earlier marriage. Hence, he vehemently opposed to grant



anticipatory bail to the petitioner.

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5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that they have investigated the case and recorded the statements and investigation is still pending. Hence, she opposed to grant anticipatory bail to the petitioner.

6. Considering the nature of allegations and the fact that the majority of the allegations regarding payment of money and handing over gold jewels were taken place in the year 2023. It is alleged that earlier, the defacto complainant has lodged a compliant against the petitioner before the All Women Police Station, Arani, which was also investigated, and further allegation that the petitioner has allegedly married another woman, I am of the view that to investigate the case of this nature custodial interrogation of the petitioner is not necessary. Hence, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial**



Magistrate, Arni, on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) 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;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.



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Consequently, the connected miscellaneous petition stands ordered.

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To:

1.The Judicial Magistrate,
Arni.

2.The Inspector of Police,
All Women Police Station, Arni,
Tiruvannamalai District

3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR,J.

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