



Crl.O.P.No.20781 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.20781 of 2025

1.N.Muthukkaruppan, Age 30 years,
S/o Nagappan

2.Sittu, Age 64 years,
W/o Nagappan

3.Nagappan, Age 67 years,
S/o L.Manickam

..Petitioners/Accused 1 to 3

Petitioners/Accused 1 to 3 are residing at
No.G2, Leela Flats, Adikesava Perumal Kovil Street,
West Mambalam, Chennai 600 033.

/versus/

State rep.by
The Inspector of Police,
W20, All Women Police Station Saidapet,
Chennai 600 015.

..Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita*, 2023, to enlarge the petitioners on bail in the event of their arrest by the respondent police in connection with FIR No.16 of 2025 pending investigation on the file of the respondent police.



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For Petitioners :Mr.M.Vijayakumar
For Respondent :Mr.A.Gopinath,
Govt.Advocate (Crl.Side)
For Intervener :Mr.P.L.Narayanan, Senior Counsel
for Mr.E.Hariharan

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 85 of BNS 2023, in Crime No.16 of 2025 on the file of the respondent police, seek anticipatory bail.

2.This petition is filed for anticipatory bail in a matrimonial dispute.

3.This Court, taking a holistic view of the dispute and after hearing the learned counsel appearing for the petitioners as well as the defacto complainant, on 04.09.2025, passed the following orders:-

“Learned counsel for the intervener submitted that 75 sovereigns of jewels of the defacto complainant are withheld by the petitioners.

2.Learned counsel for the petitioners submitted that all the jewels are in the locker of the Indian Bank, Devakottai, which the defacto complainant is authorised to operate. However, the learned counsel for the intervener submitted that the



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key of the locker is with the petitioners and therefore, the defacto complainant is unable to operate the locker.

3.It is now agreed by both the counsels that the parties will go to the Indian Bank, Devakottai, on 12.09.2025 to operate the locker and hand over the jewels of the defacto complainant, and report back to this Court on 15.09.2025. 4.Post the case on 15.09.2025.”

4. The above order came to be passed considering the fact that the parties are more interested in getting back their properties rather than continuing the dispute. However, the dispute itself pertains to the withholding the property of the defacto complainant, particularly, jewels. In pursuance to the above order dated 04.09.2025, it appears that the parties went to the Indian Bank, Devakottai on 12.09.2025 along with through respective counsels. Instead of taking inventory and custody of the jewels in a proper manner, they began to quarrel and create an unpleasant scene.

5. By way of an affidavit sworn by the defacto complainant, this Court is not inclined to look into the affidavit in detail. However, the fact remains that the defacto complainant as well as the petitioners have not arrived



at a minimum settlement regarding exchange of their respective properties. The endorsement of the Bank Manager produced before this Court indicates that Muthukkaruppan, the husband of the defacto complainant denied his willingness to access the locker. Hence, the defacto complainant and Muthukkaruppan were not permitted to access the locker. It is the repeated stand of the petitioner that 75 sovereigns of gold jewels of the defacto complainant is kept inside the locker. For that purpose, this Court asked both the parties go to the bank and take an inventory of the jewels kept in the locker. For the reason best known, the first petitioner had not allowed to access the locker. This creates more suspicion about their statement.

6. Be that as it may. It is a case where a serious allegation of cruelty and misappropriation have been alleged in the complaint. The petitioners herein neither ready to co-operate with the investigation nor willing to return the property which they are attempting to retain in their possession.

7. In the said circumstances, this Court has no other alternative but to dismiss the anticipatory bail. While this Court was about to dismiss the petition the learned counsel appearing for the petitioners sought leave of this Court to



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withdraw the petition. This Court is not inclined to entertain this request. The

Court cannot be a tool for the petitioners to abuse the process of law to suit their convenience. Hence, this Criminal Original Petition stands dismissed.

15.09.2025

To

- 1.The IX Metropolitan Magistrate Court, Saidapet, Chennai.
- 2.The Inspector of Police, W20, All Women Police Station, Saidapet, Chennai.
- 3.The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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