



WEB COPY

CRL OP No. 19095 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 19095 of 2026

1. Damodharan
2. D.Banumathi
3. Ganesh

..Petitioner(s)

Vs

1. The State rep. by
The Inspector of Police,
W1, All Women Police Station,
Thiruttani,
Thiruvallur District.
Crime No.Not Known/2026.
2. P.V.Porkodi

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 482 of BNSS Act, 2023, pleased to enlarge the petitioners on bail in the event of their arrest in connection with Crime.No.Not Known of 2026 on the file of the respondent Police and thus render justice.

For Petitioner(s):

M/s.S.T.P.Kuilmozhi

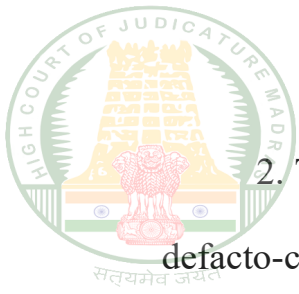
For Respondent(s):

Mr.N.Palanivel

Government Advocate (Criminal side) for R1
Mr.G.Thiyagaraj for Intervenor

ORDER

The petitioners apprehend arrest for the alleged offences under Sections 498 (A), 294 (b) of the I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002, in Crime No.42 of 2026 on the file of the respondent Police seek anticipatory bail.



2. The case of the prosecution is that the petitioners are the in-laws of the defacto-complainant. During a family dispute, the petitioners allegedly abused using filthy language and took her jewels and articles. Further, it is alleged that the petitioners sent the defacto-complainant to her parental home and have not taken her back to the matrimonial home. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the first accused is the husband of the defacto-complainant; the first and second petitioners are the parents of the first accused, and the third petitioner is the brother of the first accused. He submitted that the issue is solely between the first accused and the defacto-complainant and that the petitioners are merely the in-laws who have been wrongly roped into this case. Hence, he prays to grant anticipatory bail to the petitioners.

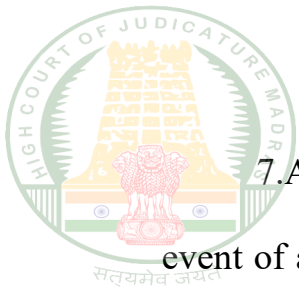
4. Per contra, the learned counsel for the intervenor would strongly opposed this application on the ground that the first accused has not at all approached this Court, whereas these petitioners are the parents and brother of the first accused. He further submitted that the first accused has been staying in Dubai. He also contended that if the petitioners are enlarged on anticipatory bail, it would become difficult to recover the jewels and other belongings of the defacto-complainant. He further stated that the defacto-complainant resigned from her post office job on the advise of the first accused, on the pretext that he



would take her to Dubai to live together. However, to date, the first accused has not taken the defacto-complainant to Dubai and has left her at her parental home.

5.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there are four accused persons in this case and the petitioners are arrayed as A2 to A4. A1 is the husband of the defacto-complainant; A2 to A4 are the in-laws of the defacto-complainant. He submitted that the issue arises from alleged cruelty meted out to the defacto-complainant. Hence, he opposed the grant of anticipatory bail to the petitioners.

6.Looking into the factual position, as rightly contended by the petitioner's counsel, the first and second petitioners are the in-laws of the defacto-complainant and the third petitioner is the brother-in-law. Therefore, in the case in hand, though certain allegations are made against the petitioners in respect of demand of dowry, considering the fact that the first and second petitioners being aged persons and the third petitioner is the brother-in-law, this Court is of the firm view that the custodial interrogation of the petitioners is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.



7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Thiruthani, Thiruvallur District**, on condition that **the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fail 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 third petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks; thereafter as and when required for interrogation; the first and second petitioners shall report before the respondent Police as and when required for interrogation;**

(d) the petitioners shall make a non-refundable deposit of **Rs.50,000/- (Rupees fifty thousand only) directly to the defacto-complainant**, to comply with the conditions imposed by this Court in Crl.O.P.No.19095 of 2026 dated 27.07.2026, within four weeks from the date on which the order copy is



made ready, failing which, the anticipatory bail shall stand automatically cancelled.

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***;

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

27-07-2026

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To

1. The Judicial Magistrate, Thiruthani, Tiruvallur District.
2. The Inspector of Police,
W1, All Women Police Station,
Thiruttani,
Thiruvallur District.
3. The Public Prosecutor
High Court of Madras.

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C.KUMARAPPAN, J.

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