



CRL OP(MD)No.15554 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.07.2026

PRESENT

THE HONOURABLE MR.JUSTICE K. RAJASEKAR

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Maruthaiah

... Petitioner / Accused
Rank Not Known

Versus

The State of Tamil Nadu,
Rep by the Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai District.
(Crime No.17 of 2026)

... Respondent/Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to enlarge the petitioner on bail in the event of arrest in Crime No.17 of 2026 on the file of the respondent police, or on his appearance.

For Petitioner : Mr.U.Parivendan

For Respondent : Mr.J.Vishnu
Government Advocate
(Criminal Side)



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ORDER : The Court made the following order :-

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2. The case of the prosecution is that, from the very inception of the marriage, the husband of the defacto complainant subjected her to harassment and caused her mental agony. It is further alleged that the husband demanded a motorcycle as dowry, which was accordingly provided by the defacto complainant's family. On 26.03.2026, he allegedly physically assaulted the defacto complainant, causing severe injuries, pursuant to which she underwent medical examination, and the husband was advised not to disturb her. It is further alleged that he refused to return her gold jewels. Thereafter, on 04.05.2026, the family members of the husband including the petitioner allegedly forced the defacto complainant to undergo a miscarriage. Hence, the present case has been registered.



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3. The learned counsel appearing for the petitioner submitted that a false case has been foisted against the petitioner. He further submitted that the petitioner is one of the relatives of the defacto complainant. He also submitted that the petitioner is ready and willing to cooperate with the investigation and abide by any condition that may be imposed by this Court. Hence, he prayed for the grant of anticipatory bail.

4. *Per contra*, the learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that the accused in this case forced the defacto complainant for miscarriage and caused mental cruelty. He also submitted that the investigation in the present case is still in progress and, therefore, opposed the grant of anticipatory bail.

5. This Court has carefully considered the rival submissions and perused the materials available on record.

6. Considering the nature of the allegations and also considering the overt act attributed to the petitioner, 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 bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Madurai, 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 learned Judicial Magistrate concerned and on further conditions that:

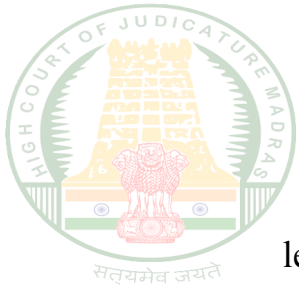
(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 06.30 p.m. for a period of two weeks, and thereafter as and when required for the 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



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learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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) AIR SCW 5560]***; and

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

28.07.2026

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To

- 1.The Judicial Magistrate No.II,
Madurai.
- 2.The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K. RAJASEKAR,J.

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ORDER
IN
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