



CrI.O.P.No.8884 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

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THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.8884 of 2025

Sundar @ Sundararajan

... Petitioner

Vs

State Rep by,
Inspector of Police,
All Women Police Station,
Neyveli, Cuddalore – District,
Crime No.7 of 2025.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in the event of arrest in connection with the Crime No.7 of 2025 pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Muruganandham
For Respondent : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Section 351(2) of BNS r/w Section 4 of Dowry Prohibition Act in Crime No.7 of 2025, on the file of the



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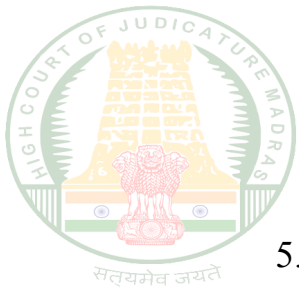
respondent Police, seeks anticipatory bail.

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2.Case of the prosecution is that the petitioner and his family members abused and threatened the defacto complainant demanding dowry for Rs.5 lakhs and gold jewels. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. Due to matrimonial dispute, the defacto complainant on her own deserted the matrimonial home and not returned back and also filed the present false. The petitioner filed a divorce petition in HMOP.No.9 of 2025 before the learned Subordinate Judge, Neyveli and the same is pending. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police submits the petitioner and his family members demanded more dowry from the defacto complainant and also assaulted her while she was pregnant. Earlier, this Court referred the matter for mediation, but the mediation failed.



5.Considering the submissions and on perusal of materials, it is seen that earlier this Court had referred the matter for mediation since it is a matrimonial dispute. The Taluk Mediation Sub Centre, Vridhachalam sent the mediation report stating “*Mediation completed. No agreement was reached*”. In this case, the petitioner and defacto complainant married on 27.10.2023 and they have no children. Added to it, now HMOP.No.9 of 2025 is pending before the learned Subordinate Judge, Neyveli on the ground of cruelty.

6.In view of the above, 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 of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Neyveli on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b]The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The



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Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identify proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by a Police officer as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] the petitioner shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the 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 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];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To

- 1.The District Munsif cum Judicial Magistrate,
Neyveli.
- 2.The Inspector of Police,
All Women Police Station,
Neyveli, Cuddalore – District.
- 3.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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