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Crl.O.P.No.9382 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01-04-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.9382 of 2025

Manoj
S/o. Magalingam

....Petitioner/Accused

Vs

The State represented by
The Inspector of Police,
Pollachi Taluk Police Station,
Coimbatore District.
(Crime No.77 of 2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of his arrest **in Crime No.77 of 2025**, on the file of the
respondent police.

For Petitioner : Mr. S. Esakkimuthu

For Respondent : Mr. S. Balaji
Government Advocate (Crl. Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 115(2), 351(2) of BNS r/w 4 of TNPHW Act, in Crime No.77 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner is the husband of the *de facto* complainant; that there is a matrimonial dispute between them; that the petitioner had demanded dowry; that on the date of occurrence the petitioner had compelled the *de facto* complainant to consume rat poison and threatened to kill her. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the allegations primarily discloses matrimonial differences; that the *de facto* complainant suspected the character of the petitioner and consumed poison; and that the petitioner had not compelled her to do so. He further submitted that considering the nature of allegations, custodial interrogation of the petitioner is not required and prayed for anticipatory bail to the



petitioner.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the *de facto* complainant consumed poison and she has now been discharged from the hospital.

5. Considering, the nature of allegations, the fact that there are matrimonial differences between the petitioner and the *de facto* complainant, this Court is of the view that custodial interrogation of the petitioner is not required. Accordingly, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 II, Pollachi**, 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



learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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[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 reside at Chennai and report before the Inspector of Police, North Beach Police Station, Chennai, everyday at 10:30 a.m., until further orders.

[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 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].



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[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 269 of B.N.S.

01.04.2025

bga

To

1. The Judicial Magistrate II, Pollachi
2. The Inspector of Police,
Pollachi Taluk Police Station,
Coimbatore District.
3. The Inspector of Police,
North Beach Police Station, Chennai,
4. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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