



WEB COPY



CRL O.P. No.9456 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.9456 of 2025

1. Mukundan S/o. Dhandapani
 2. Dhandapani S/o. Arumugam
 3. Kalaivani W/o. Arumugam
 4. Tamileelam D/o. Dhandapani
- ... Petitioners / Accused 1-4

Vs

State rep. by:-

The Inspector of Police,
All Women Police Station,
Neelankarai, Chennai. ... Respondent
[Cr. No.9 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioners / Accused in

Crime No.9 of 2025 on the file of the respondent police.

For Petitioners : Mr. D. Ashok Kumar
For Intervenor: Mr. S. Selvathirumurugan
For Respondent : Mr. S. Santhosh,
Government Advocate
[Criminal side]

ORDER



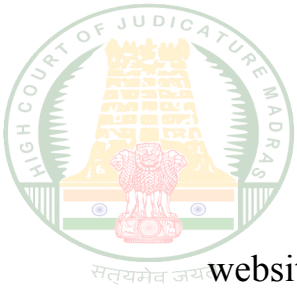
CRL O.P. No.9456 of 2025

WEB COPY

The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 318, 82 & 83 of B.N.S. in connection with the case in Crime No.9 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner had matrimonial differences with his wife and had filed a divorce petition; that the defacto complainant also claiming to be a divorced woman; that both of them had advertised in a matrimonial website; that the 1st petitioner and the defacto complainant met each other; that the 1st petitioner tied thali in a temple; that they had consensual relationship; that the 1st petitioner had suppressed his marital status; that he abandoned the defacto complainant and committed the aforesaid offences; and that the other petitioners abetted him in the said offences committed by the 1st petitioner and thus, committed aforesaid offences.

3. Learned counsel for the petitioners would contend that the allegations against the petitioners are false; that even in the matrimonial



CRL O.P. No.9456 of 2025

WEB COPY

websites, he had mentioned that he is awaiting divorce and a child is living with him; that the defacto complainant, however, had falsely stated that she was a divorcee; that in fact, she had not filed any divorce petition against her ex-husband; that by suppressing the aforesaid facts, the instant complaint has been filed; that considering the fact that the petitioner and the defacto complainant had consensual relationship and since custodial interrogation is not required, prayed for anticipatory bail to the petitioners.

4. The learned counsel appearing for the defacto complainant / intervenor, however, vehemently opposed the grant of anticipatory bail by stating that the petitioner made false representation and on the promise of marriage, had sexual intercourse and thereafter, blocked her contact and stopped communicating with her and other petitioners also abetted him.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case.

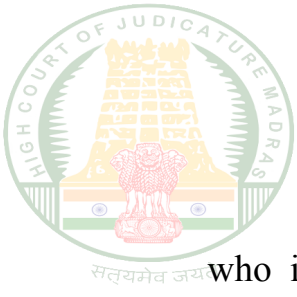


CRL O.P. No.9456 of 2025

WEB COPY

6. On perusal of records, it is seen that the petitioner and the defacto complainant had consensual relationship. It is seen that there is no false representation made by the petitioner in the website. The defacto complainant, however, had stated that she was a divorcee, which according to the petitioner, is false. In any case, considering the nature of allegations against the petitioners and since the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners on 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 days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Additional Mahila Court, Alandur** on condition that the petitioners shall each execute a separate 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



CRL O.P. No.9456 of 2025

WEB COPY

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 conditions that:

[a] the petitioners 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 1st petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders; the petitioners 2 to 4 shall appear before the respondent police as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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



CRL O.P. No.9456 of 2025

WEB COPY

petitioners 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]; and

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

01.04.2025

[2/2]

mjs

To

- 1.TheJudicial Magistrate, Additional Mahila Court, Alandur.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, All Women Police Station, Neelankarai, Chennai.

SUNDER MOHAN. J.,

mjs



WEB COPY



CRL O.P. No.9456 of 2025

CRL O.P. No.9456 of 2025

01.04.2025

[2/2]