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Crl.O.P.No.10420 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

**THE HONOURABLE MR JUSTICE SUNDER MOHAN**

**CRL O.P NO.10420 of 2025**

1. S. Lakshminarasimhan  
S/o. Srinivasan.
2. Mahalakshmi  
W/o. Lakshminarasimhan
3. L. Gokulakrishnan  
S/o. Lakshminarasimhan

....Petitioners/Accused 1, 2 & 3

Vs

The State Rep. by  
The Inspector of Police,  
Selaiyur Police Station  
Chennai  
Chengalpattu District  
Crime No. 127 of 2025

....Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory  
bail in the event of their arrest **in Crime No.127 of 2025**, pending on the  
file of the respondent police.



**For Petitioners**

: Mr. Sivakumar

**For Respondent**

: Mr. S. Balaji

Government Advocate (Crl. Side)

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### **ORDER**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 85 of the BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.127 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners who are the father-in-law, mother-in-law and husband respectively of the *de facto* complainant demanded dowry and caused cruelty and retained 42 sovereigns of gold jewels belonging to the *de facto* complainant.

3. The learned counsel appearing for the petitioners would submit that even according to the *de facto* complainant there were matrimonial differences between the third petitioner and the *de facto* complainant; that they decided to obtain decree of divorce by mutual consent; that the third petitioner, who is the husband of the *de facto*



complainant avoided the calls of the *de facto* complainant; that thereafter, he filed a divorce petition and that subsequently, the present complaint has been lodged by the *de facto* complainant

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4. Heard the learned Government Advocate (Crl. Side) appearing for the respondent police, who reiterated the prosecution case.

5. A reading of the FIR shows that there were matrimonial differences between the third petitioner and the *de facto* complainant and the allegations of dowry demand have been made after the third petitioner had filed a petition for divorce. It is also seen from the FIR that the *de facto* complainant had lodged a complaint since the third petitioner refused to live with the *de facto* complainant during the counselling conducted by the Family Court. Considering the aforesaid facts, the nature of allegations and since custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. 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 on which the order copy made ready, before **the learned Judicial Magistrate No.1, Tambaram**, on condition that each of 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:

[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 third petitioner shall report before the respondent police twice a week at 10:30 a.m., until further orders and the other petitioners shall report before the respondent police as and when required.**

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



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[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 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].

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

**08.04.2025**

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To

1. The Judicial Magistrate No.1, Tambaram
2. The Inspector of Police,  
Selaipur Police Station  
Chennai  
Chengalpattu District
3. The Public Prosecutor, High Court, Madras



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**SUNDER MOHAN, J.**

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