



Crl.OP.No.10836 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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**DATED : 15.04.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

**Crl.O.P.No.10836 of 2025**

1.Rajan

2.Kalyani Ammal

3.Kannan

4.Sivasundar

5.Kalavathi

6.Rajathi

7.Senthil Raja

8.Kannan

.. Petitioners

Vs.

The State rep by  
The Inspector of Police,  
W-14, All Women Police Station,  
Thiruvottiyur,  
Chennai – 600 019.  
(Crime No.12 of 2024)

.. Respondent

**PRAYER:** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the  
event of their arrest in Crime No.12 of 2024 on the file of the respondent  
Police.



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For Petitioners : M/s.M.K.Sasikumar Kumar

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

**ORDER**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 85 of BNS in Crime No.12 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner and the defacto complainant got married on 13.12.2021; that the defacto complainant later came to know that the first petitioner had suppressed the fact that he was bald and had a congenital problem in his collar bone before the marriage; that after the marriage, the defacto complainant and the first petitioner went to Singapore and that the first petitioner had caused cruelty to the defacto complainant by demanding dowry i.e., Rs.15,00,000/- in cash and 100 sovereigns of gold jewellery; that while they were living in Singapore the first petitioner had harassed the defacto complainant.



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3. The learned counsel appearing for the petitioner would submit that the allegations are false and that the FIR discloses matrimonial differences between the first petitioner and the defacto complainant and that in any case, custodial interrogation is not required and prayed for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the petitioners had demanded dowry and caused cruelty to the defacto complainant.

5. On perusal of the FIR, it is seen that the defacto complainant is primarily aggrieved with the fact that a congenital issue in the collar bone of the first petitioner was not disclosed, and the fact that the first petitioner suppressed that he was bald by making a cosmetic change. Considering the nature of the allegations in the FIR, this Court is of the view that custodial interrogation of the petitioners is not required for the purpose of



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investigation. Accordingly, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 is made ready, before the **learned Judicial Magistrate, Thiruvottiyur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 1<sup>st</sup> petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one week and thereafter, as and when required for interrogation. The petitioners 2 to 8 shall report before the respondent police as and when required for interrogation.



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**[c] the first petitioner shall inform the learned Judicial Magistrate, Thiruvottiur, whenever he intends to travel abroad.**

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

**[e]** the petitioners shall not abscond either during investigation or trial.

**[f]** 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]**;

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

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Index : Yes / No  
Internet : Yes / No  
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To



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**SUNDER MOHAN, J.**

dpa

- 1.The Inspector of Police,  
W-14, All Women Police Station,  
Thiruvottiyur,  
Chennai – 600 019.
- 2.The learned Judicial Magistrate,  
Thiruvottiyur.
- 3.The Public Prosecutor,  
Madras High Court,  
Chennai.

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