



Crl.OP.No.11479 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 17.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.11479 of 2025

1.M.Sathishkumar
2.Yasodha
3.Magesh @ Mahesh Kumar
4.Lakshmi
5.Dhamu @ Dhamodharan

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
All Women Police Station,
Arakkonam
Ranipet District.
(Crime No.14 of 2025)

.. 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 arrest in Crime No.14 of 2025 on the file of the respondent Police.

For Petitioners : M/s.S.Deivasigamani

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

ORDER



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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 82(2), 85, 296(b), 351(3) of BNS Act and Section 4 of Dowry Prohibition Act in Crime No.14 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner and the defacto complainant got married on 24.06.2020; that on 03.07.2021, the defacto complainant became pregnant; that thereafter, matrimonial differences arose between them; that the petitioners caused cruelty to the defacto complainant and demanded a sum of Rs.5,00,000/- as dowry; that on 13.12.2021, the defacto complainant went to her parents house; that thereafter, neither the first petitioner nor the other petitioners visited the defacto complainant or her child after she informed about the birth of the child on 09.02.2022; and that on 06.02.2025, when the defacto complainant along with her child went to the house of the first petitioner, she was shocked to know that the first petitioner has married the sixth accused.

3. The learned counsel appearing for the petitioner submitted that



the first petitioner and the defacto complainant were living separately from 13.12.2021; that, there are matrimonial differences between the first petitioner and the defacto complainant; that the complaint has been lodged belatedly as an afterthought and that in any case, custodial interrogation of the petitioners is not required and sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and confirmed that the petitioners allegedly demanded dowry in the year 2021 and that the first petitioner and the defacto complainant have been living separately since then.

5. This Court has perused the FIR. The allegations of dowry demand pertain to the year 2021. The grievance of the defacto complainant is that the first petitioner got married to the sixth accused. This Court is of the view that the allegations primarily disclose an offence of bigamy by the first petitioner. The other petitioners have nothing to do with the alleged offences. Since custodial interrogation of the petitioners is not required for



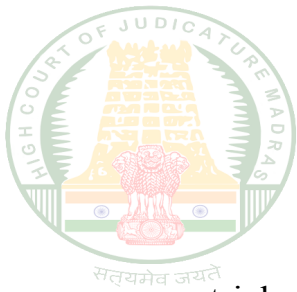
the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 **Judicial Magistrate Court, Arakkonam, Ranipet District**, 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 first 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 for interrogation.

[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 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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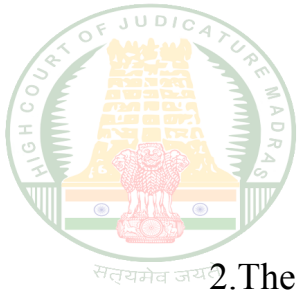
SUNDER MOHAN, J.

dpa

To

1.The Inspector of Police,
All Women Police Station,
Arakkonam
Ranipet District.

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2.The Judicial Magistrate Court,
Arakkonam, Ranipet District.

3.The Public Prosecutor,
Madras High Court,
Chennai.

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