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CRL OP No. 12889 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 12889 of 2025

1. K G Thanigaivel

Son of Kumar,

36 B, New No. 106, Vanigar Street,

Kacheepuram - 631502

2. T. Uma Maheswari,

Wife of K.G. Thanigaivel,

36 B, New No. 106, Vanigar Street,

Kancheepuram - 631502

Petitioner(s)

Vs

The State Represented by

the Inspector of Police,

All Women Police Station

Kancheepuram, Kancheepuram District

(Crime No. 17 of 2025)

Respondent(s)

Criminal Original Petition filed under Section 482 of the BNSS, 2023, to direct that the petitioners to be enlarged on bail in the event of their arrest in Crime No.17 of 2025 on the file of the respondent police.



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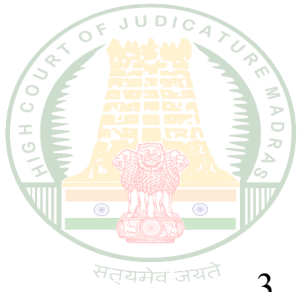
For Petitioner(s): Mr.John S

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

ORDER

The petitioners, who apprehend arrest in the hands of the respondent police for the offences punishable under Section 498-A IPC, in connection with a case in Crime No.17 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are the brother-in-law and sister-in-law of the *de facto* complainant and brother and sister of the first accused, who is the husband of the *de facto* complainant; that the first accused and the other accused were constantly demanding dowry from the *de facto* complainant; that the first accused and the *de facto* complainant did not have a good conjugal relationship; that the *de facto* complainant came to know later that the first accused had sent a message to his relative girl stating that he could have married her, for which, the said girl had stated that she also felt the same way and thus, the petitioners have committed the aforesaid offences.

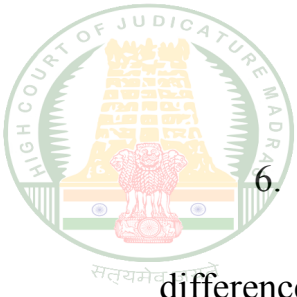


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3. The learned counsel for the petitioners would submit that the FIR primarily discloses matrimonial differences between the first accused and the *de facto* complainant; that the petitioners are the brother and brother's wife of the first accused; that they are not involved in his matrimonial affairs; that in any case, the allegations are borne out by records; and that the custodial interrogation of the petitioners is not required and he sought anticipatory bail for the petitioners.

4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and produced a copy of the FIR, which confirms the aforesaid facts.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.



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6. This Court perused the FIR, which mainly discloses matrimonial differences between the first accused and the *de facto* complainant. The *de facto* complainant was aggrieved by the conduct of the first accused, is not treating her well and for expressing his liking for another girl.

7. Considering the nature of allegations, the relationship of the petitioners with the first accused and since the custodial interrogation of the petitioners is not required for the purpose of interrogation, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Kancheepuram District**, on condition that the petitioners 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 conditions that:

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[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 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;

[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 Supreme Court in *P.K.Shaji vs. State of Kerala* [(2005)AIR

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SCW 5560];

[f] if the accused thereafter abscond, a fresh FIR can be registered under

Section 269 B.N.S.

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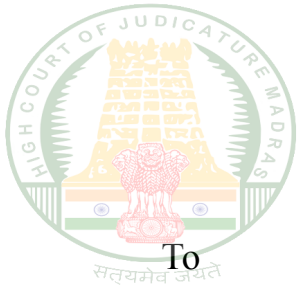
nsd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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1. The Inspector of Police,
All Women Police Station
Kancheepuram, Kancheepuram District

2. The Judicial Magistrate No.I,
Kancheepuram District.



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SUNDER MOHAN J.

nsd

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