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Crl.O.P.No.12939 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.12939 of 2025

K.Karthikeyan

...Petitioner/Accused 1

Vs.

State rep by
The Inspector of Police,
All Women Police Station – Kancheepuram,
Kancheepuram District.

(Crime No.17 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioner on anticipatory bail in Crime No.17 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.Sanjay Ravichandran

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



CrI.O.P.No.12939 of 2025

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ORDER

This Criminal Original Petition has been filed by the petitioner, who apprehends arrest at the hands of the respondent, seeking anticipatory bail in Crime No.17 of 2025 registered for the offence under Section 498(A) of IPC.

2. The case of the prosecution is that the petitioner is the husband of the defacto complainant; that the petitioner and the other accused who are the brother-in-law and sister-in-law of the *de facto* complainant were constantly demanding dowry from the *de facto* complainant; that the petitioner and the *de facto* complainant did not have a good conjugal relationship; that the *de facto* complainant came to know later that the petitioner 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 petitioner has committed the aforesaid offences.



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3. The learned counsel for the petitioner would submit that the FIR primarily discloses matrimonial differences between the petitioner and the *de facto* complainant; that the petitioner has filed divorce petition in April 2024 in HMOP No.126 of 2024 on the file of the Sub Court, Kancheepuram; that the instant complaint has been lodged thereafter; that the complaint was originally registered before the Puzhal Police Station on 08.05.2024 and thereafter, transferred to the respondent police station and that in any case, the custodial interrogation of the petitioner is not required and he sought anticipatory bail for the petitioner.

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 petitioner 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 petitioner and the *de facto* complainant. The *de facto* complainant was aggrieved by the conduct of the petitioner, is not treating her well and for expressing his liking for another girl. Considering the nature of allegations and the aforesaid facts, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of interrogation. Hence, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

8. Accordingly, the petitioner is 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



Crl.O.P.No.12939 of 2025

for anticipatory bail shall stand dismissed and on further conditions that:

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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 petitioner shall report before the respondent police as and when required for interrogation;

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 SCW 5560];



Crl.O.P.No.12939 of 2025

SUNDER MOHAN, J.

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

28.04.2025

rkp

Copy to:

- 1.The Inspector of Police,
All Women Police Station – Kancheepuram,
Kancheepuram District.
- 2.The Judicial Magistrate Court No.I, Kancheepuram.
- 3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.12939 of 2025