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CrI.O.P.No.16855 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.16855 of 2025

Sakthivel

... Petitioner

-Vs-

The State represented by its,
The Inspector of Police,
AWPS, Rasipuram,
Namakkal, Tamilnadu – 637 401.
(Cr.No.13 of 2025)

... Respondent

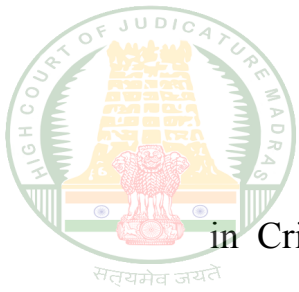
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.13 of 2025 on the file of respondent Police.

For Petitioner : Mr.J.Elanjchezhen

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable u/s 85 of BNS, 2023 and Section 4 of Tamil Nadu Prevention of Harassment against Women Act,



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in Crime No.13 of 2025, on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner had caused cruelty to the defacto complainant by making dowry demands during the marital phase and allegedly remarried without dissolving marriage with the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent and has not committed any offence as alleged by the prosecution. He further submitted that the custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that this is the second anticipatory bail petition of the petitioner. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and



since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is 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 **Court of Judicial Magistrate at Rasipuram**, on condition that 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 petitioner 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 petitioner shall report before the respondent Police everyday at 10.30 a.m. for a period of four (4) weeks and thereafter, as and when



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required;

[c] the petitioner shall not abscond either during investigation or trial;

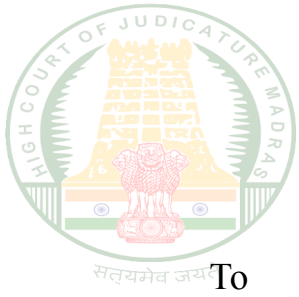
[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] 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 Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

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

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To
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- 1.The Judicial Magistrate Court,
Rasipuram.
- 2.The Inspector of Police,
AWPS, Rasipuram,
Namakkal, Tamilnadu – 637 401.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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