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Crl.O.P.No.23508 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.23508 of 2025

Yogaraj

... Petitioner/A1

Vs.

The State Rep. by:
The Inspector of Police,
All Women Police Station,
Cuddalore.
(Crime No.53 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner/1st accused on bail in the event of his arrest in connection with Crime No.53 of 2025 to the petitioner pending investigation on the file of the respondent police.

For Petitioner : Mr.S.C.Vishwanth

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

ORDER

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 498(A) of IPC, r/w Section 6 of Dowry Prohibition Act, in Crime No.53 of 2025, on the file of



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the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that a matrimonial dispute between the husband and wife has led to registration of a complaint in Crime No.53 of 2025 on the file of the All Women Police Station, Cuddalore. The complaint is against the husband and family members, totalling seven persons. The F.I.R alleges that the de-facto complainant was subjected to harassment on account of a demand for dowry. On the other hand, the petitioner claims that the de-facto complainant left the matrimonial home on her own and that he has initiated divorce proceedings in H.M.O.P.No.233 of 2023 before the Family Court, Cuddalore which is still pending. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsels and perused the materials available on record.



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6. Considering the fact that the de-facto complainant and the petitioner have already resorted to the dissolve the marriage, and the allegations of cruelty in the criminal complaint require to be probed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **Judicial Magistrate, Additional Mahila Court, Cuddalore**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each on or before **12.09.2025** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30a.m., until further orders;



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[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

28.08.2025

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To

- 1.The Judicial Magistrate, Additional Mahila Court, Cuddalore.
- 2.The Inspector of Police,
All Women Police Station,
Cuddalore
- 3.The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN,J.,

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