



Crl.O.P.No.24077 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24077 of 2025

1.Janarthanaraj

2.Tamilarasi

... Petitioners

Vs.

The State represented by

The Inspector of Police,

AWPS-Sooramangalam,

Salem City.

(Crime No.24 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on anticipatory bail in the event of arrest in Crime No.24 of 2025 on the file of the Respondent/Complainant herein i.e., the Inspector of Police, AWPS-Sooramangalam, Salem City.

For Petitioners : Mr.N.Sivaraman

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petition for anticipatory bail is filed in respect of the complaint registered in Crime No.24 of 2025 by the respondent Police for the alleged offences under Sections 498(A), 294(b) of IPC and 351(2) of B.N.S Act, in connection with alleged dowry harassment.



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2. The learned counsel appearing for the petitioners submits that the de-facto complainant and the first petitioner are living separately and that the first petitioner has already initiated divorce proceedings. He further contends that the criminal complaint alleging dowry harassment has been lodged only a counterblast. Hence, he prayed for grant of anticipatory bail to the petitioners.

3. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of anticipatory bail to the petitioners and reiterated the prosecution case.

4. Heard the learned counsel on either side and perused the materials available on record.

5. Considering the fact that the matter relates to a matrimonial dispute and the petitioners are the husband and mother-in-law, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

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



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

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

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

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To

1. The Additional Mahila Court, Salem.
2. The Inspector of Police,
AWPS-Sooramangalam,
Salem City.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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