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Crl.O.P.No.24022 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24022 of 2025

T.Subramani

... Petitioner/A1

Vs.

The State rep. by its
The Inspector of Police,
W-12 Harbour All Women Police Station,
Chennai.
(Crime No.05 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 at the hands of the Respondent in Crime No.05 of 2025, pending on the file of the Inspector of Police, W-12, All Women Police Station, Chennai.

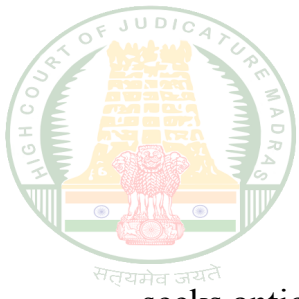
For Petitioner : Mr.A.Bharani Chandar

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 85 and 108 of Bharatiya Nyaya Sanhita (BNS), in Crime No.05 of 2025, on the file of the respondent Police,



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seeks anticipatory bail.

2. The case of the prosecution is that, based on a complaint given by Rajakumari, mother of Divya, a case was registered in Crime No.5 of 2025 on 28.07.2025 for the offences under Sections 85 and 108 of the B.N.S Act. The accused are the mother-in-law and sister-in-law of the said Divya.

3. The F.I.R indicates that, due to dowry demand and cruelty, the daughter of the de-facto complainant attempted to commit suicide by hanging. She was admitted to the hospital on 27.07.2025 and discharged on 02.08.2025.

4. The learned counsel appearing for the petitioner submits that, owing to a property dispute between the father and son, a false complaint has been lodged against the petitioner as if they had subjected Divya to cruelty and dowry demand.

5. The learned counsel for the petitioner further submitted documents relating to the property dispute, the civil suit pending between the parties, as well as an earlier criminal complaint.

6. A perusal of the Accident Register (A.R) copy indicates that, although it is claimed that Divya attempted to commit suicide, the A.R. entry does not even record the presence of any ligature mark.

7. Taking note of the fact that the entire complaint and the A.R. report indicate that the complaint has been lodged against him with an ulterior motive.



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8.Considering the said fact, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

9. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **VII Metropolitan Magistrate at George Town Court**, 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 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 as and when required;

[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



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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.

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To

1. The VII Metropolitan Magistrate at George Town Court.
2. The Inspector of Police,
W-12 Harbour All Women Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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