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Crl.OP.Nos.25295 and 25296 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.Nos.25295 and 25296 of 2025

M.Mohammed Sameer

... Petitioner
(in Crl.No.25295 of 2025)

1. M.Rehana

2. R.Afra Jasmine

... Petitioners
(in Crl.No.25296 of 2025)

Vs.

State rep by
Inspector of Police,
W-35, All Women Police Station,
Selaiyur.
(Cr.No.Not Known of 2025)

... Respondent
(in both Crl.OPs')

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of arrest in connection with Crime No.Not Known on the file of



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the respondent police. .

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For Petitioners : Mr.Abdul Kareem

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

COMMON ORDER

The petitioners apprehends arrest for the alleged offence under Section 85 of BNS in Cr.No.Not Known on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner in Crl.OP.No.25295 of 2025 as A1 and the petitioners in Crl.OP.No.25296 is arrayed as A2 and A3. It is alleged that the petitioners demanded dowry from the defacto complainant and also harassed her. Hence, the present case.



3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

He further submitted that the petitioners are ready to deposit the amount to show their bonafide without prejudice their trust and prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and reported that A1 is the husband and A2 and A3 are mother-in-law and sister-in-law of the defacto complainant. He also reported that the petitioners demanded dowry from the defacto complainant and also stolen jewels of the defacto complainant by using spare key. He further reported that the petitioners have compelled the defacto complainant to conduct DNS Test. Hence, he strongly opposed the grant of anticipatory bail to the petitioner.



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5. At this juncture, the learned counsel appearing for the petitioners also filed an affidavit, in which he has stated that the petitioner is ready to return the said amount of Rs.5,00,000/- to his wife account viz., Hina Kowsar within a week.

6. Heard both sides and perused the materials available on record.

7. Considering the allegations stated in the FIR, I am of the view that the custodial interrogation of the petitioners is not necessary, However, the affidavit filed and also the connected fact, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. Accordingly, the first petitioner is directed to pay a sum of **Rs.5,00,000/- [Rupees Five lakhs Only]** to the account of his wife ie., **Hina Kowsar within a period of one week** and on such deposit and



production of proof, the petitioners are ordered to be released on bail in the

event of arrest or on their appearance within a period of fifteen (15) days

from the date on which the order copy made ready, before the learned

Judicial Magistrate-II, Tambaram on condition that each of the petitioners

shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty**

Thousand only) with two sureties each for a like sum to the satisfaction

learned Magistrate concerned, and on further condition that:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 identify proofs to ensure their identity;



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(c) The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

14.11.2025

Vv

To

1. The Judicial Magistrate-II, Tambaram
2. The Inspector of Police,
W-35, All Women Police Station,
Selaiyur.

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3.The Public Prosecutor
High Court of Madras,
Chennai 600 104.

K.RAJASEKAR, J.

Vv

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